

A
VINDICATION
OF
S^r. ROBERT KING's
Designs and Actions,
In Relation to the late, and present
LORD KINGSTON.
BEING
AN ANSWER
To a Scandalous Libel, lately sent
abroad under the Title of
MATERIALS

For a Bill of Discovery against Sir Robert King, Bar.
*Anthony Raymond, Charles Gosling, William Sprigge,
Anthony Cope, Dean of Elphin, Anthony Sheppard,
Mrs. Choppyne, Thomas Twigge, Garreit Misset, Cap.
Samuel Pash, Dean Francis Quaile, Lady Kingston,
Mr. Rochfort, Sir — St. George, Arthur Cooper,
James Johnson, John Reading, William Palmer, Henry
Farrell, and Standish Hartstrong, Junior, Esq.*

Ornari Res ipsa negat, contenta doceri. *Horat.*

Printed in the Year, 1699.

A
VINDICATION
OF
ST. ROBERT KING'S
Designs and Actions,
In Relation
To the late, and present
Lord KINGSTON:

B E I N G

*An Answer to a Scandalous Libel,
lately sent abroad under the Ti-
tle of Materials for a Bill of
Discovery against Sir Robert
King, Bar^{ter}. Anthony Ray-
mond, Charles Gosling, &c.*

WHILST some of
those whom Sir Ro-
bert King thought he had ob-
lig'd

lig'd to be his Friends, expressed their Unkindness to him in reproachful *Discourses* only, he judg'd it unnecessary to return any Formal Answer to them in *Writing*; believing his own Reputation so well Establish'd in the World, as to be a sufficient Defence against the most violent Efforts of that nature: But seeing those severe Reflections that were past on him (tho' as unjustly rais'd, as industriously spread abroad) are lately form'd into a *Libel*, and publickly appear against him under the *Specious* Title of *Materials, for a Bill of Discovery against Sir Robert King, &c.* He thought himself oblig'd to vindicate his own
 Immo-

Innocency, in the same manner in which it was aspersed, by returning a distinct Answer to each particular Article of his *Accusation*.

And tho' the Author of the *Materials* of that *Bill of Discovery*, or rather of *Indictment*, against Sir Robert King, has been very careful in observing the known Maxim of mischievous Policy, by *supplying the want of Truth in the Accusation*, by the *Boldness and Heinousness of the Charge*: Yet I do not question, but that the Answer which is here return'd to that Scandalous Libel, is so full and convincing, that it will for ever silence the unreasonable Clamour of Sir Ro-

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bert's Adversaries, and effectually acquit him in the Judgment of all candid and ingenuous Men.

The confus'd Materials of this pretended *Bill of Discovery* may be reduc'd to these Four Heads. *First*, Those Matters that relate to Sir Robert King's Guardianship, of the late and present Lord Kingston. *Secondly*, The Circumstances of the present Lord's Marriage. *Thirdly*, The late Lord's Disinheriting the present Lord, and Settling his Estate on Sir Robert King and his Heirs. And, *Fourthly*, the Settlements, and other Deeds, relating to the late and present Lord Kingston's Estate.

The

The Complaints relating to the First Head, are these :

That John Lord Kingston, the Father of the late, and present Lord, having design'd his two Sons to be committed to the Tuition of the late Earl of Arran, by reason their Uncle, Sir Robert King, was too near related, and in Remainder, for want of Issue, of them, to the Estate of Boyle, Sir Robert King, by his Accomplices, particularly Anthony Raymond, perswaded the late and present Lord to chuse him for their Guardian. — That by Contrivance of the said Raymond, Sir Robert got all the Patents, Rent-Rolls, &c. into his Hands, and pick'd out such Instruments out of his Brother's Agents, Stew-

ards, &c. viz. Raymond, Gosling, Captain Caulfield, as enabled him to carry on his Designs against his Nephews. That he Acted solely without the Concurrence of the other Executors. — That Captain Blackwell, one of the Lord John's Trustees, and always an Opposer of the Designs of Sir Robert, was bought off from Acting; That Sir Robert never return'd an Inventory of the Goods and Chattels, nor any Account of his management into the Prerogative Office. — That immediately after the late Lord John's Death, he remov'd the present Lord from Kilkenny-School, and for the space of a Year gave his Brother and him the liberty to follow their own Inclinations; which
gave

gave the Eldest an Opportunity of minding nothing but Hunting, and keeping mean Company : and the Youngest of Trifling away his Time very Idly also : and that when the late Lord was perswaded to go abroad, Sir Robert would not permit the present Lord to Travel into France with his Brother, tho' earnestly desir'd with Tears ; nor wou'd send him over to him, tho' his Brother writ frequently and pressingly for him, and sent Captain Pach to bring him : That the present Lord being placed at Charlevile-School, and committed to Raymond's Care, he was wholly neglected there ; his trusty Servant Roger Brennan, being turn'd off by Sir Robert's Orders, and a Boy preferr'd to
wait

wait on him, who was not capable of serving him, nor of seeing any ill designs that were form'd against him; That on Sr. William King's taking notice of, and expressing a concern for his ill usuage there, he was remov'd thence, on a pretence that Sir William King design'd to Marry him to his Daughter; That being brought to Boyle and one Lightbourn appointed to be his Tutor, they both spent their whole time in Idleness; Sir Robert King in the mean while not vouchsafing to make the least Enquiry concerning his Studies, or any thing that tended to his good, though he lived within three Miles of Boyle. That being sent to the College, he was within some few Months after his Admission remov'd to Abby-boyle.

boyle. That Sir Robert by neglecting to disburse three hundred Pounds for this present Lord's use, when he and Raymond had Fifteen hundred Pounds of his Money in their hands, lost him Captain Holcroft's Estate, which was worth Four Hundred Pounds per annum: That Sir Robert underhand encouraged his Father in Law Capt. Choppyne to buy it, in hopes of his Settling it after his Decease on Sir Robert and his Heirs; and in fine, that Sir Robert King, to avoid giving an Account of his Trust, which he had broken in sundry particulars; shifted off the Guardian-ship of the present Lord, and plac'd it on the late Lord Robert, who was then but just Twenty one Years of Age.

To

To all which the following Answer is return'd: *First*, That Sir Robert King was so far from endeavouring to divert John Lord Kingston from appointing the late Earl of Arran to be Guardian to his Sons, that he never knew or heard of his having form'd any such Design; and that after his Death (there being no Guardian nam'd in the Will) most of all the Trustees, and particularly that very Capt. Blackwell, whom the Author of the Materials represents to have been always an Opposer of Sir Robert's designs, perswaded Sir Robert to take upon him the Guardianship of the late and present Lord, not mistrusting that the choice of such a Person wou'd

wou'd (to speak the least) be any way prejudicial to their Affairs.

For though Sir *Robert King* was not appointed by his Brother to be *Guardian to his Children*, there is no reason to Believe that, what is suggested by the Author of the Materials, was the true Occasion of it: For his Brother having nominated him in his Will, by the Name of *his Dear Brother*, to be one of his Executors, notwithstanding *the nearness of his Relation, and his being in Remainder to the old Estate of Boyle*, he did not, 'tis probable on those accounts, judge him unqualified to be Guardian to his Sons, especially if it be consider'd,

der'd, that *John Lord Kingston* was so far from entertaining any Jealous thoughts of his Brother, on Account of the nearness of his Relation, that he often earnestly intreated him to Travel with the late and present Lord, thinking that they wou'd be more safe under the care of Sir Robert, than of any other person : And as Sir Robert do's declare, that he never employ'd Mr. *Raymond* to perswade the late and present Lord *Kingston* to accept of him for their Guardian, (the truth of which *Raymond* has declar'd upon Oath) * So neither were the Circumstances of Sir Robert's Fortune so inconsiderable, nor his Reputation in the World

* *Vid.* *Raymond's Deposition in the Appendix.* No. 1.

World so bad, that he could reasonably be suspected to have had any self-interested design in the management of his Nephews Affairs; but on the contrary, Sir *Robert* has good reason to Believe, that (besides the fatigue of frequent Winter Journeys from *Conaught* to *Dublin*, for the security or improvement of their Fortunes, his long stays there, his trouble in following several of their Law-Suits, and the neglect of his own Business to attend theirs) he expended several hundred Pounds of his own Money, which, tho' laid out for their Advantage, was never placed to their Account, as appears by Sir *Robert's* Answer
upon

upon Oath to a Bill in *Chancery* in *Michaelmas Term* 1697. And as the sole intention of his complying with the desires of his Nephews, as well as of the Trustees, in accepting the Office of Guardian to them, was to express his Gratitude to his Brother, by his care and good Management of the Persons and Concerns of his Children, so he thought he had discharg'd that Trust with so much faithfulness as might, if not merit their acknowledgments, yet at least free him from their Censures. And it is sufficiently known to the World, what great regard the late Lord *Kingston* had for him, and with what kindness and respect he
always

always Treated him, which did abundantly testifie the due sense his Lordship had of his Unckles care in his Education, and of his just management of his Estate; and must needs render the contrary usuage Sir *Robert* has lately met with from the present Lord, the more uneasie and surprizing to him, he having always had an equal care of the concerns of both the Brothers, and no less affection for the Younger, than he had for the Elder, which will appear by the further Answers to the Materials for the pretended Bill of Discoveries against him.

But amongst all the Libellers misrepresentations of Sir

B *Robert's*

Robert's Actions, there is none more groundless and unreasonable than what relates to Capt. *Caulfield*, Dean *Cope*, Dr. *Quail*, Mr. *Raymond*, and Mr. *Gosling*; for it can't but appear strange that Sir *Robert's* intimacy with their Fathers faithful Friends, and imploying his most knowing and trusty Servants in their business, (which in the opinion of all indifferent Men, wou'd be accounted a Mark of respect that Sir *Robert* paid to their Fathers Memory, and the best measures he cou'd take for the advancement of their Fortunes, and the surest proof he could give of the uprightness of his intentions) shou'd be objected to him as a *Contrivance to carry*

on his own Designs against them; for certainly these persons might with much more shew of reason, be judg'd Spies on Sir Robert's Actions, than (what is invidiously suggested) *Accomplices* of his ill Designs. Among these pretended Complotters with Sir Robert to Ruin the late and present Lord Kingston, Mr. *Anthony Raymond* is mentioned as the Chief; who was not only bred up from his Childhood under the present Lord Kingston's Grandfather Sir *William Fenton*, and constantly employ'd by him in his business, but as a Mark of Sir *William's* more than ordinary regard for him, and his entire Confidence in him, was made a Trustee in

several of his Deeds, and particularly in a Deed for the Settlement of part of his Estate on this present Lord *Kingston*. And the present Lord *Kingston's* Father had so long Experience and so great an Esteem of the Faithfulness of Mr. *Raymond's* Service, and the Prudence of his Management, that he recommended him to his Trustees, as the fittest Person to manage the Estates of both his Children in *Munster*: So that it happens very unluckily to the Libeller, That this very *Raymond*, who is represented by him as a mighty Grievance to the late, and present Lord *Kingston*, and the Employing of whom is objected

jected to Sir *Robert King* as a heinous Crime, shou'd not only be constantly employ'd, and much approv'd of by their Father and Grandfather, during their Lives, but also Bequeath'd (as I may justly say) at their Deaths as a considerable Legacy to their Children.

And to make good that favourable Opinion they had of him, and fully to Vindicate Sir *Robert King* in Employing him, he has (besides the many instances that might be given of his successful Industry in the late Lords affairs) considerably Improv'd the present *Ld. Kingston's* Estate: For, whereas it was not worth 400*l. per an.* at

B 3 the

the time of his Fathers Death, it was rais'd by Mr. *Raymond's* Prudence and Care, to near 600*l. per an.* The Truth of which may appear by the Rent Rolls taken at his Fathers Death, compar'd with that which was given in to the present Lord *Kingston*, when his Lordship took the management of his Estate into his own hands.

And as by what has been said (and is ready to be prov'd) Sir *Robert King's* imploying Mr. *Raymond* in the concerns of both his Nephews, is abundantly justify'd, so what is objected concerning his *Acting without the Concurrence of the other two Executors*, will be fully clear'd, if we consider that the
late

late Lord *Kingston*, who was named *First* Executor in his Father's Will, was at the time of his Fathers Death, and for some Years after, in his Minority; and on that Account was not so properly qualify'd to Act; and that the late Lord Chief Justice *Povey*, who was the other Executor, had not leasure, by reason of the Publick Station he was in, to attend such Affairs; and that tho' by frequent Indispositions of Body, he was disabled to undergo the Fatigues of long Journeys into *Munster* and *Conaught*, yet he did give his Advice and Assistance to Sir *Robert* in the discharge of the Executorship, and approv'd of

his management of Affairs as long as he continued in this Kingdom.

As touching Capt. *Blackwell*, he was a *Creditor* as well as a *Trustee*, and by his endeavouring to *Impair* rather than *Improve* the late Lord *Kingston's* Fortunes, he became indeed a constant Opposer of Sir Robert's designs, viz. of preserving the late Lord from being wrong'd by him; for he having claim'd a greater Debt than was really due to him, and Sir Robert refusing to pay it, the Controversie was refer'd to Sir *John Temple's* Determination, who awarded him 1000*l.* instead of 1500*l.* that he demanded, as appears by the Award in Mr. *Sprig's*

Sprig's hands, which as soon as he received, he quitted his Charge and went away to *England*. So that now the Reader may perceive that the Money paid to *Capt. Blackwell*, which is represented by the Libeller as a *Bribe*, was the Discharge of a *Debt*; and what is said concerning his being *Bought off* from acting as a *Trustee*, is to be understood of his being cut off 500*l.* of what he demanded as a *Creditor*.

Of this and all the other Debts and Credits, Goods and Chattels of *John Lord Kingston*, *Sir Robert* many Years ago return'd a perfect Inventory and Account into the *Prerogative Court*, and there, if the Libeller
be

be pleas'd to make a Search, he may better be Inform'd what reason he has *Verily* to believe that Sir Robert did never make any such return into that Office.

Nor is the Libeller less mistaken in what he says concerning Sir Robert's getting into his hands all the *Patents, Deeds, Rent-Rolls, &c.* belonging to John Lord Kingston, for they never were in Sir Robert's hands, but were still lodg'd with Mr. Raymond, as with a Person who knew the matters contain'd in them more perfectly, and cou'd manage them more dexterously than any other for the Interest of the *Orphans*: Though if Sir Robert had kept them in his hands it could not reasonably be

be imputed to a Guardian, as a Crime to have the Writings relating to his Ward *in his own Custody*.

Nor can Sir Robert suffer in his reputation by those groundless reflections that are pass'd upon him by the Libeller, in reference to the Education of the late and present Lord *Kingston*, there being many Persons of great Veracity and considerable Character, in this Kingdom, that can vouch for Sir Robert's Care of their Breeding, and Tenderneſs of their Persons; for it is ſufficiently Notorious, That ſoon after the Death of *John Lord Kingston*, Sir Robert King having occaſion to be in *Dublin* for
some

some time to prove his Brothers Will, &c. his two Nephews were all the while in the same Lodgings with him, Eat at the same Table, and after about two Months stay, went together with him into the Country, and for the most part of that Year were with him in his House at *Rockingham*, where they were Treated with a respect suitable to their Quality, and with a kindness equal to what he ever shew'd to his own Children; and were so far from being neglected in their Education, or permitted the liberty of following their own Inventions, that Doctor *Quail* (a Person of known worth and Prudence, who had
been

been Tutor to the late Lord
Kingston in his Fathers Life-
 time, and was much Esteemed
 by him) did not only continue
 in the same Station, but had
 the present Lord also commit-
 ted to his care; and though the
 late Lord did for a while fol-
 low with too much fondness
 and application, the Divertise-
 ments of the Country, yet Sir
Robert was not wanting in his
 Duty to him, but still employ'd
 his whole Interest and Autho-
 rity to restrain his too eager
 Prosecution of them; and
 within a Year his Lordship
 was prevail'd upon, by his
 Unkle's Advice, (which was
 agreeable to his Father's De-
 signs) to quit all his Diver-
 sions

sions at Home, to improve himself Abroad, being assisted by the Prudence and good Management of Dr. *Quail*, who was appointed by Sir *Robert* to be his Tutor and Companion in his Travels.

And as the late Lord did not, at the time of his leaving this Kingdom, seem desirous of his Brother's Company abroad, so notwithstanding what is suggested by the Libeller, Sir *Robert* never receiv'd any Letter from his Lordship, intimating his Desire of having his Brother sent over to him into *France*, nor did Sir *Robert* ever know that Captain *Pach* was sent by the late Lord to bring his Brother thither, but
to

to be his Tutor here. It may be true, that the present Lord did then, as the Libeller says, press his Unkle, and perhaps with Tears, to send him along with the late Lord *Robert*, but was deny'd; for Sir *Robert* did not judge it consistent with his Gratitude to his Brother's Memory, and the Interest of his own Reputation, (being, next to his Nephews, Heir in Remainder of the Estate in *Conaught*) to expose his Brother's whole Family at once, and in their Nonage too, to the many and great Hazards of Travelling into Foreign Parts; and therefore thought it better to run the Risque of incurring the Censure of Unkindness,

kindness, from some indiscreet Persons, than too fondly to gratifie the imprudent, tho' earnest Desires of a Youth, who, in the *Materials for a Bill of Discovery*, is represented as being then but Thirteen Years Old; for certainly one of that Age, tho' well fitted for the Advantages of that sort of Education that is to be had at Schools in his Native Country, is very little qualified for those Improvements that are to be acquir'd by Travelling into Foreign Kingdoms: and accordingly Sir Robert, instead of permitting the present Lord *Kingston* at that time to go for *France*, sent him to a then celebrated School at *Charleville*; and

and instead of his *Trusty Servant*, Roger Brennan, as he is call'd in the *Materials*, (who had left the Family before *John Lord Kingston's* Death, and who afterwards declar'd himself a *Papist*) Sir Robert appointed an honest *Protestant Youth* to attend him; and ordered Mr. *Raymond*, who liv'd near *Charleville*, to have a more than ordinary Care and Inspection over him: And there being, some time after this Lord's going thither, a Report spread abroad in those Parts, of Sir *William King's* designing to Marry his Daughter to him, Mr. *Raymond* according to his Duty, gave Sir *Robert King* an Account of what was generally

discours'd: And tho' the Libeller intimates that *Raymond* himself was the Author of that Story, (being, as he alledges, provok'd thereto by Sir *William King's* kind reception of the present Lord at his House, and his resentment of his Lordships ill usage by *Raymond* at *Charleville*) yet Sir *Robert* do's not think he has any reason to believe that Mr. *Raymond* did raise that report, but that the discourse in those parts concerning that matter, came first from others, and is fully satisfied that Mr. *Raymond* according to his order, furnish'd this present Lord *Kingston* during his stay at *Charleville*, with all necessaries and conveniences suitable to a Gentle-

Gentleman of his Age and condition, though not with Superfluities to gratifie the Extravagancy of his Temper. And tho' Sir *Robert* do's not question Sir *William King*'s kind concern for, and obliging Treatment of the present Lord *Kingston* at his House, yet he do's not know of any Liberty he gave him of Courting his Daughter, much less of his designs of Marrying her to him: However Sir *Robert* do's acknowledge, that though the present Lord *Kingston*'s Matching into so Worthy a Family, and with a Lady so excellently accomplish'd, and of so considerable a Fortune, was a thing that wou'd have been very accept-

able to him; yet, if there had been such a design, the consideration of the great disparity of their Years, and the reflections that might justly be cast on him on that occasion, wou'd have made him unwilling to promote so unequal a Marriage; for that Lady who was judg'd no unfit Match for the Father, and was to have been Marry'd to him, if his unexpected Death had not interven'd, cou'd not reasonably be thought a proper Wife for the Son, who was then but 17 Years of Age; and therefore Sir *Robert*, on notice giv'n him of that Report (how groundlessly soever rais'd) thought it Prudent to remove the present
 Lord

Lord *Kingston* from *Charleville* to *Abby-Boyle*, where he remain'd till he was entered into the College at *Dublin*, from whence he was indeed much too soon remov'd, not, as is suggested, in order to the giving him opportunity to Prosecute his dishonourable Amour, but in compliance with his earnest desires of going into the Country for the recovery of his Health; and to prevent any loss of his time there, Sir *Robert* laid out for a Tutor for him in the House, and consulted the present Lord Bishop of *Waterford* (who had been Tutor to him and his Brother in the College) in the choice of one who recommended Mr. *Lightburn*

burn to that Office, under whose Tuition he continued at *Abby-Boyle*, near Sir *Robert's* House, plentifully accommodated with all conveniencies without any Charge to him. The Author of the *Materials* is pleased to discover some Secret mispendings of my Lord's time with his Tutor, by playing at Cards, and keeping Idle Company, on purpose to cast a Reproach on his Unkle; Yet as those that knew Mr. *Lightburn*, will be apt to judge that he was not so blameable as he is represented, so every Considering man knows that this Suggestion, tho' true, can be no just Reflection on Sir *Robert's* care of his Nephew; for no
Guardian

Guardian is accountable for the secret irregularities of his Ward, they being of such a Nature, that no care can prevent 'em, no Guardian but a Guardian Angel can always discover them, and no Advices nor Example, without the Grace of God, can effectually restrain them.

To what is objected by the Libeller concerning the present Lord *Kingston's* losing Captain *Holcroft's* Estate of 400*l.* per annum, by Sir Robert *King's* neglecting to expend 300*l.* for securing it, when he and Raymond had 1500*l.* of the present Lord's Money in their hands, and Captain *Choppine's* buying that Estate by Sir Robert's advice, Sir

Robert returns this Answer, That he was so far from advising *Cap. Choppine* to Purchase *Holcroft's* Estate, that he never knew of his having any designs that way, till he understood by Council that the present Lord's Title to that Estate was *Null*, and tho' *Holcroft's* Estate might perhaps have been sometimes worth 400*l.* per an. yet before *Choppine* had any dealings with him, * he had sold all but 80*l.* per an. which is the whole that *Choppine* ever Purchas'd from him: And further Sir *Robert* does declare, That neither he nor *Raymond*, as he verily believes, had ever so much as four hundred Pounds, much less 1500*l.* at one time, of the present

* See Tho. Yeeden's Affidavit. Appendix. No. 19.

present Lord's Money in their hands: The charge of his Education, and the Law-Suits, (by which his Estate was so considerably improv'd) together with his own Expences, which were very large, usually Exhausting the greatest part of the Yearly Income of his Estate, as is plain by *Raymond's* Accounts. * And further says, That before the Deeds relating to *Holcroft's* Estate were question'd, Sir *Robert* had giv'n up his Guardianship of the present Lord, and transfer'd it to his Brother, and never afterwards Intermedled with his Estate.

* See also
Appendix.
No. 21. *An*
Account
stated by the
present Lord
Kingston.

As to the only remaining objection relating to Sir *Robert's* Guardian-

Guardianship of the late and present Lord Kingston, which, in the Libellers Phrase is, *Sir Robert's shifting off the Guardianship of the present Lord, to avoid giving an Account of his Trust, which he had broken in several particulars, and placing it upon the late Lord Robert, who was then but just Twenty one Years of Age.* The Answer in the behalf of Sir Robert is, That as the Resignation of his Guardianship, and delivering it to the late Lord Kingston, did not in the least exempt him from being Accountable to the present Ld, for the former discharge of his Trust; so Sir Robert having neither made nor design'd the least advantage to himself by the man-

management of his Nephews Estate, he had no reason to fear the strictest *Examination of his Accounts*; but he must acknowledge that the successfulness of his care in the Education of the present Lord, made him willing to embrace so fit an opportunity of being quit of his Trouble; and he does declare, that as the sole design of his taking on him the Guardianship of this present Lord, was the promoting of his good; so the end of resigning it, was the preventing of his Ruin; for being advis'd that the Deeds relating to the present Lord's Estate were defective, and that the Title to them might probably be vested in the late Lord

Lord *Kingston*, as Heir at law, he was fully perswaded that the best Measure he cou'd take for the Security of the present Lord's Fortune, was to place him under the care and Tuition of his Brother, being confident, that tho' the present Lord's misbehaviour might abate the late Lords affections to him, yet it cou'd not the Sence of his own Honour; and that he never wou'd have depriv'd his *Ward* of that which perhaps he wou'd not have yielded to his *Brother*, but wou'd rather have quitted his legal Title to that Estate, than have done any thing misbecoming the Character of a Guardian.

And

And now after all the fore-
 mention'd signal instances of
 Sir Robert King's care of the
 present Lord Kingston's Person,
 Education, and Fortune, let e-
 very indifferent person Judge
 what ground the *Libeller* had
 for casting that Scandalous
 Reflection on Sir Robert King,
 in saying, *That for the space of*
five Years that this Lord Kingston
remain'd at Boyle, under Sir Ro-
bert's Eye, and under Mr. Light-
burn's Care, he never made En-
quiry after his Studies, or any thing
that tended to his good.

I Proceed to the *Second Part*
 of the *Libellers Materials for*
 a *Bill against Sir Robert King,*
&c. relating to the Circum-
stances

stances of the Present Lord Kingston's Marriage with his Lady.

The Author of these *Materials*, being sensible of the many considerable disadvantages the present Lord *Kingston* may lie under on account of his having Married an *Irish* Woman, a Papist, and one of the meanest of the Servants in his Brothers House, is pleas'd, according to the forementioned instances of his Sincerity, to lay the whole blame of so disgraceful a Misfortune on Sir *Robert King's* connivance at it, and secret contrivance and encouragement of it; which he do's in these following words, viz,

That presently after Capt. Pach
receiv'd

receiv'd the present Lord into his care, he discover'd his Lordships affection to the Lady he was afterwards Married to, and acquainted Sir Robert King with it, and press'd him to send the present Lord immediately to France, or to remove her out of the Family, to prevent his Marriage, or any other consequences that might attend such affection, which Sir Robert wholly slighted: That Sir Robert cou'd not deny his knowledge of the present Lord's affection to the Gentlewoman he afterwards Marry'd; for his Lordship having bought her a fine Scarlet Petticoat with a large Gold and Silver Lace to it, which was carried by Mistake to Sir Robert's house, Sir Robert having view'd it, said, he knew it was his Nephews

Nephews Present to his Mistress, meaning the now Lady Kingston, and ordered it to be sent to Boyle, to the present Lord, without taking any further notice. That after the late Lord Robert return'd from France to Ireland, Capt. Pach continued to caution the said Sir Robert, and the said Lord Robert, who was then his Brother's Guardian, to prevent the growing Affection of the present Lord to the said Gentlewoman; yet notwithstanding this Caution from Capt. Pach, and others, they suffer'd the present Lord and his Lady to live under the same Roof, for above Two Years and an half; Capt. Pach still pressing to let him go with his Pupil for France; but was deny'd it. That when the late

late Lord sent this present Lord for France, Sir Robert knew that this Gentlewoman went with him. That notwithstanding the continual Information Sir Robert had out of France from Captain Pach, and others, of the Intrigues between the present Lord, and the Lady he Married, yet Sir Robert, in his Letter to Raymond, seems to charge the Fault on his Nephew; whereas he might have easily prevented the same, had he not been wanting in his Duty as Guardian, and neglected it out of Design.

Now seeing the Libeller thinks fit so freely and Publicly to own the present Lord Kingston's Misfortune in Marrying a Person very much below him; the following Answer

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may without breach of the Rules of Civility, be return'd to this Unjust and Groundless Charge.

Sometime after the late Lord *Kingston* began his Travels, observations were made, and Discourses rais'd, of a more than ordinary and suspicious familiarity between the present Lord *Kingston* and an *Irish* Papist, a Servant in the House at *Abby-Boyle*, which as soon as Sir *Robert* was acquainted with, tho' he was not in the least mistrustful of his Nephews being so mean spirited as to design to Marry her, yet being Jealous of his Intentions to Debauch her, he not only expressed a Resentment suitable to the

the Character of a good Man, but also took such Measures in that Affair, as became the Prudence of a careful Guardian, by giving order to Mrs. *Horsey* the House-keeper, a Relation to the present Lord, immediately to turn the *Girl out of the Family*, upon which the present Lord *Kingston* went to Mrs. *Elenor Sankey*, one that Sir *Robert* had a more than ordinary respect for, as being a near Relation to his Lady, and then in his House at *Boyle*; and (as she has deposed upon Oath,)

* told her, *with his Eyes full of Tears, that he had a Complaint to make to her, which he express'd* Vid. Appen. Mad. Sankey's Depos. No. 2. *after this manner; There is a poor innocent Girl in the Castle,*

D 2

which

*which was an Underling, and I saw
 her a quiet Creature, and I desir'd
 Mrs. Horsey to advance her to be
 my Chamber-Maid, and she did so,
 and immediately Mr. Gosling and
 some others said, she and I were
 too great, but I know the Reason
 why they are so Malitious, She is
 Honest, and wou'd not yield to
 them in any ill thing, and they (like
 unjust People) have told my Unkle,
 and he is so incens'd against her,
 that he has fully resolv'd to turn
 her away, and has warn'd her to be
 gone; I know you have great In-
 terest with him, and I beg of you
 to use it now, that she may stay;
 And that he and all the World may
 see my Innocency, I will receive the
 Sacrament to Morrow on it, I wou'd
 not for any thing have the Girl
 turn'd*

turn'd off, and lose her Reputation by me; Pray therefore intercede for her to my Unkle. Mrs. Sankey does further Depose, That on this so earnest an entreaty of the present Lord Kingston, she did, to the best of her Remembrance, speak to Sir Robert King in the Girls behalf, but found him so angry, and so resolv'd to turn her off, that she wou'd not venture to say much to him. But his Lordship being very intent on keeping that *Irish* Girl in the Family, and mistrusting Mrs. Sankey's Intercession not to be so prevailing with his Unkle in this affair as that of Dean Cope, the Minister of the Parish, he immediately made application to him, who has Deposed,

*Vid. Dean
Cope's Af-
fid. in the
Appendix.
No. 3.

* That Sir Robert King, having discharged that Person who is now Lady Kingston, of her Service in the Family, hearing there was too great a familiarity between her and the present Lord, his Lordship spoke to him to Intercede with Sir Robert for her continuance in her Service, urging that the only way to prove the Report of her being with Child to be a Lye, was to let her stay in the Family, and that wou'd disprove it; but if she was sent away, the People at Boyle would conclude it true: Upon which the Dean went (as he declares) to Sir Robert, and press'd him to grant what the now Lord desir'd; and after some serious consideration, Sir Robert was pleas'd, out of a tender regard to the present

present Lord's Reputation, and on the House-keepers promise of a greater Watchfulness, and undertaking to prevent any such future Familiarities, to permit that Girl to continue in her Service.

And it further appears by the Deposition of *Charles Gosling Esq;* * that Sir *Robert King* was so far from conniving at the more than ordinary *Intimacy*, between the present Lord and Margaret Cahan, the present Lady Kingston, that on Mr. Gosling's acquainting Sir Robert with it, he immediately order'd the House-keeper to turn her out of the Family, who accordingly did so, and that it was by this Lords Means She was taken in again.

* Vide
Appendix
Charles
Gosling's
Affid. No. 4

And from that time the Intrigues between the present Lord *Kingston*, and her that is now his Lady, were either so long interrupted, or so secretly Manag'd, that Sir *Robert King* heard nothing of their renewal till after the late Lord *Kingston's* return from his Travels; and being then acquainted that the former intimacies between them were renew'd, Sir *Robert* prevail'd with the late Lord *Kingston*, in order to prevent the bad consequences of his Brothers Imprudent and Dishonourable fondness of this Girl, to promise a considerable Sum of Money, as a Portion with her, to a Servant in the House, with whom she was
 very

very intimate, to induce him to Marry her. * The Truth of which last Clause, is particularly confirm'd by the said Mr. Gosling's Deposition in these words, *That Sir Robert King being Guardian to the present Lord, and having a tender care of him, to prevent any occasion of Lewdness or Debauchery, between him and Margaret Cahan, a Servant in the House at Abby-Boyle, did endeavour to get one William Teams, then Under-Cook in the House to Marry her, offering him as Portion, Thirty Pounds Sterling, or thereabouts, to the best of this Deponents remembrance. And accordingly the Servant, having so great a Portion promised with her, very thankfully*

* See also
William
Team's Af-
fid. Append.
No. 16.

fully accepted the Proposal, not doubting the Success of his Wooing; but the Girl having far greater things in her Eye, could not by any Means be prevail'd on to accept of him for her Husband.

About this time, or soon after, that Laced Petticoat (which the *Libeller* mentions) was brought to Sir Robert King's House at Rockingham, being directed to Capt. King, (by which Name both the present Lord and Sir Robert were then commonly call'd) and Sir Robert perceiving the *Mistake*, sent it to Boyle to the present Lord Kingston; but was so far from saying (as the *Libeller* very groundlessly alleges) that he knew it to be

a Present from his Nephew to his present Lady, that he Solemnly declares he did not in the least imagin it to be design'd for her, but on the contrary, *Sr. Robert* told *Mr. Gosling* that he believ'd it was a present from his Nephew to *Mrs. Gosling*. But soon after this, *Margaret Cahan* quitted her Service in the Family, and *Sir Robert* with great Joy receiv'd and believ'd the News of her being gone to live with her Friends in another part of the Kingdom; which, as appear'd afterwards, was given out on purpose by this present Lord *Kingston's* orders to amuse his Brother and his Uncle, and prevent their Suspicions of her
then

then going with him, (as the Libeller says she did) or of her speedy following him to *France*. For after the late Lord's return from his Travels, Sir *Robert King* being desirous that his Brother also shou'd have the Advantage of Travelling, being then of Years capable of it, requested the late Lord *Kingston*, who was then come to Age, and had taken on him the Guardianship of his Brother, to permit him to go abroad, and (notwithstanding what is suggested by the Libeller to the contrary) it was not without great Difficulty, and after about a Years Importunity that his Lordship consented to it; and accordingly he

he sent his Brother to *France*, under the Tuition of Captain *Pach*: But soon after their Arrival at *Paris*, the late Lord *Kingston* and Sir *Robert King*, to their great Trouble and Surprise, received an account from the Captain, that *Margaret Cahan* was not only come to *Paris*, to the present Lord, but also that the former Familiarities between 'em, which in *Ireland* had been happily interrupted, were there more dangerously renewed than ever; upon which the late Lord *Kingston* was so highly incensed against his Brother, that then he first form'd his Design of Disinheriting him, and of making Sir *Robert King* his Heir;
and

and accordingly the late Lord often sent to Sir Robert, to accept of the Reversion of his Estate, and to permit a Settlement of it to be made on him and his Heirs; but Sir Robert was so far from complying with the late Lord *Kingston's* Desires, or from taking any Advantage of the Displeasure the late Lord had conceiv'd against his Brother, that he earnestly entreated, and at length prevail'd with his Lordship, to send Doctor *Quail* with all speed to *France*, to prevent, if possible, the great Mischief the present Lord might bring upon himself, and the Dishonour he might do his Family, by his indiscreet Fondness

ness of *Margaret Cahan*; and accordingly the Doctor was dispatch'd away with Letters, and Advices from them both to this present Lord, then in *Paris*, to signifie their Resentments, and to dissuade his Lordship from the Thoughts of the present *Lady Kingston*; and accordingly the Doctor went with Letters, and Proposals of a considerable Advantage for the present Lord Kingston, and with great Promises, if he, the present Lord Kingston, obeyed; and Threatnings of being disinherited if his Lordship would not be advis'd: All which the Doctor deliver'd to the present Lord Kingston; whose Answer was to this Effect, (viz.) That he the said present Lord

Lord Kingston had heard of the Doctor's Coming, and his Business, and that his Lordship was very sorry he had incurr'd his Brother's and Unkle's Displeasure, and to avoid it, his Lordship had sent her (meaning the present Lady Kingston) away; and did assure the Doctor, with great and solemn Asseverations, that his Lordship would not concern himself with her any more; yet notwithstanding all these solemn Professions and Asseverations, the Doctor was not only credibly inform'd of the Woman's being still in Paris, but within a while he found out her Lodging, and surpriz'd her in it; and at his next meeting with the present Lord, not only acquainted him with

with the Discovery he had made, but also assur'd him of the fatal consequences of so Dishonourable an Amour, at which the present Lord seem'd extreamly concern'd, and with-
all told the Doctor, that his *Passion for her was so great, that he cou'd not allay it.* Soon after this, the Doctor having brought his Business to so unhappy an Issue, return'd to *Ireland*, and gave the late Lord *Kingston* an account of the whole Affair.*

And now, since by the fore-
mention'd Particulars it do's
appear, that Sir *Robert King*,
on the first intimation given
him, of a more than ordinary
Familiarity between the present
Lord *Kingston*, and an *Irish*

* Vide Dr.
Quail's De-
position in
the Append.
No. 5.

E Ser.

Servant Maid in his Brother's House, gave immediate Orders to have her turn'd out of the Family ; and when afterwards he permitted her to be received in again, did it purely out of regard to the present Lord's Reputation, and in compliance with the Importunities of those whom his Lordship had employ'd to intercede in her behalf, and on the Promise the House-keeper (who was his own Relation) made to prevent all dangerous Familiarity between them for the future ; and since it does also appear, that on the second intimation of the Renewal of their Amours, Sir Robert endeavour'd to persuade a Servant

vant in the House, on Promise of a considerable Portion, to Marry her : And further, that on Intelligence given by Capt. *Pach*, of her being with the present Lord in *Paris*, he prevail'd with the late Lord *Kingston*, to send Doctor *Quail* on purpose to *France*, to persuade the present Lord to return to *Ireland*, with assurance of having a considerable part of the late Lord's Estate settled on him at present, and the rest in Reversion after his Decease without Issue : Since Sir *Robert King*, I say, has given so many signal Instances of his Care, to prevent the present Lord *Kingston's* Marriage with *Margaret Caban*, every impartial Reader

may not only perceive how groundlessly the Libeller accuses Sir *Robert* of Conniving at the present Lord's Intrigues with that *Irish* Servant-Maid, and of designing to gain his own Ends, by his Nephew's unfortunate Marriage; but will also be fully convinced, that the most careful Guardian, and the most affectionate Friend, cou'd not have used more hearty Endeavours, nor taken more prudent Measures to prevent so lasting a Disgrace to a Noble-Man and his Family, than Sir *Robert King* has done.

And as these many Evidences already produc'd will be abundantly sufficient to every unprejudic'd Man, to
vin-

vindicate Sir Robert King's Reputation, in all Circumstances relating to the present Lord Kingston's Marriage; so I shall mention one more, which, if any thing, will convince even the Libeller himself of the Falshood of his Suggestions in this Matter: For in his Lordship's *Address* * to the late King James, (presented to Him by his Confessor) he was so far from Representing his Uncle as a *Conniver* at his Courting his present Lady, that he complain'd of the many *Hardships* that he suffered on account of *Falling in Love with a Native Irish Woman*: Nay more, in his printed Case that was then offer'd to the Consideration of

* Vid. *The Address in the Append.* No. 6.

the High Court of Parliament in *England*, tho' he was pleased to pass very severe and ill-grounded Reflections on Sir *Robert King*, as being *Instrumental* in altering the Settlement of his Brother's Estate; yet he did not in the least accuse him of Promoting his Marriage with his Brother's Servant-Maid.

And when it was the present Lord *Kingston's* Interest to Tax his Uncle (who had been his Guardian) before a Protestant Parliament, with Conniving at his growing Affection to a mean Irish Girl, and a Papist, He had so much Honour as to acknowledge * That both He and his present Lady suffer'd many Difficulties and Hardships on that Account,

* Vid. The Case in the Appendix, No. 7.

count, before his Affection to her (which, he said, grew up with his Years) could have produc'd a Marriage. By which we may perceive, that the Libeller has a far greater Zeal for the present Lord Kingston's Service, than Knowledge of his Affairs; or else he would have taken care that the Materials of his Bill in this Kingdom against Sir Robert King should have been more consistent with his Lordship's own Representation of his Case to the Parliament of England.

AND now I proceed to the Third Head of the Materials for the Bill against Sir Robert King; and they are these: That Sir Robert, with

E 4 his

his Accomplices, prevail'd with the late Lord Kingston, by all the Artifices he could invent, to Disinherit the present Lord, and leave him nothing at all to support the Honour; which the Libeller endeavours to prove, First, by Gosling's Letter to Raymond, August 19. 1679. wherein he writes, That he was commanded to tell him, that the late Lord Robert intended the Term following to cut off the Intail of Michels-town, and desir'd him to provide for it, but privately. From whence it is inferr'd, That there was an Intail on Michels-town, and a Design to cut it off, tho' they were afraid to do it publicly: That Sir Robert King commanded Gosling privately to
give

give Raymond notice of it, and consequently, that Sir Robert projected the Disherison of the present Lord before Marriage, or any colourable Provocation given.

That several considerable Steps were made by the late Lord Kingston, and his Lawyers, and Capt. Choppine, in Trinity-Term 1682. to levy Fines and Recoveries of the old Estate of Boyle, in order to Cut off the present Lord's Remainder, and to Settle it on Sir Robert King and his Children.

That Sir Robert came to Mr. Sprigg, in the Year 1683, or 1684, by the late Lord's pressing, as he said, to get a Settlement drawn for Excluding the present Lord, in case he was Married at
the

the time of the Perfection of the said Settlement, but with a Remainder left to the Children of a second Wife, that he should Marry, with the Consent of the late Lord, and Sir Robert King, or such of his next Relations as should be then living; and on failure of his Issue Male by that second Wife, to Sir Robert King, and his Eldest Son, and his Heirs Males, without power of Revocation or Alteration of the Uses.

That according to this Settlement Sir Robert King sent a Paper to the Lady Wimbaldon, for the present Lord to sign, and employed Doctor Quail to persuade his Lordship to signifie his Consent to that Settlement, by signing the Paper; which the present Lord,

Lord, as he was advised by his Friends and Counsel, refused to do: That Sir Robert's Design in this was, First, To exclude the second Brother, whom he then knew to be Married; and, Secondly, To prevent the Eldest Brother's Marriage, by leaving him no Power to alter the Uses in this Deed.

That it was morally impossible that this should be done by any other but Sir Robert King, and his Accomplices; it being very unlikely that the Lord Kingston, who at that time was Young, Healthy, and likely to get Children, and to out-live his Uncle, should of himself propose such a Settlement of his Estate, by which he was only Tenant for Life, and no Power left

left him to make Jointures, or Provision for Younger Children, or Lease for Lives, and which hindered his own Marriage, and excluded his Brother.

That Sir Robert left this Deed drawn in Captain Choppine's hands, in order to be perfected, and then went for England.

That the present Lord Kingston having got from Dr. Quail the Deed of Settlement of the Mannor of Newcastle, (which was settled on him by his Grand-Father) gave Occasion to Sir Robert and Raymond to incense the late Lord against him, tho' his Lordship had no colour of Right to it: That Sir Robert, in his Letter to Raymond, tells him,

him, that since Jack's (meaning the present Lord Kingston's) Extravagancies were broke out in France, his Brother was resolv'd to settle the Estate he has from his two Grand-Fathers, so that it shall not be in his Brother's Power to set it from his Posterity.

That this Deed being dislik'd by Raymond, was never perfected; but another Settlement was made in Decemb. 1684, wherein is a Power to settle Jointures, Portions on Younger Children, and to make Leases, with a Power of Revocation; but it utterly excluded the present Lord.

That Sir Robert, to give the better colour to what he had done, sent his Case of Conscience, drawn after his own way, to Raymond,
(who

(who was then in London) with Instructions to gain the Hands of such Divines as he named, to sign it.

That the late King having had the present Lord's Case laid before him, and reported to him, by the Earl of Rochester, express'd so high a Displeasure at the late Lord's ill Usage of his Brother, that his Lordship promised to do his Brother Right, by leaving Matters as they were intended in the Original Settlement ; but was diverted from doing it by the forementioned Instruments.

That on the late Lord's Marriage, a new Settlement was made by Sir Robert King's Directions, wherein he got himself and his Children Nam'd next in Remainder

der after the late Lord Robert's, excluding the present Lord without Power of Revocation, the said Lord Robert having been plyed with Company, at the Tavern, for Eight Days together, and continually incens'd against his Brother, while the Deed was preparing, till 'twas perfected.

That the late Lord declar'd to his Lady, that he was sorry he had settled the Estate on Sir Robert King; that if he cou'd, he wou'd Revoke or Alter the Settlement, or get an Act of Parliament for doing it; as appears by that Lady's Answer to a Bill of Sir Robert's, Filed against her in England in 1694.

That the late Lord Kingston made a Declaration, and Deed under

der his Hand and Seal, Revoking the Settlement made in 1685, on Sir Robert King, and Granting his Estate to his Brother, and his Heirs, if they shou'd come within the Law, and the Remainder to Sir Robert King, which was proved by three Witnesses.

That Sir Robert King Oppos'd the present Lord's Passing his Pardon, and Reversing his Outlawry; and when his Endeavours prov'd ineffectual in both, he got an Injunction to Quiet him in the Possession of the present Lord's Estate in Munster, which his Lordship had Entred on by his Servants.

That Sir Robert having Intimation given him by Dean Cope, and others, of some Papers being left

left by the late Lord, for his Brother, us'd means to suppress them; but being Unsuccessful, he rak'd what Witnesses he cou'd, to prove them Supposititious, to bring the present Lord into Infamy, and to Ruine him for ever.

That Sir Robert wrought this Ends so with the late Lord Kingston, as to get him to perfect Deeds to him of 600l. or 800l. per Annum of the New Estate.

That from Sir Robert King's Buildings at Rockingham, (to Raise which he made use of the Rents of the present Lord Kingston's Estate, and which are so Sumptuous, as not to bear any proportion to his own Fortune) it may well be inferr'd, that he had his Designs all along on the

F Lord-

*Lordships of Boyle and Michels-
town.*

*And that because the Deed of
December 1684 was revokeable,
Sir Robert, or Captain Chop-
pine, to get an absolute Deed, pro-
pos'd to buy the Town of Sligoe
for the late Lord Kingston, and
to put 2000l. in his Pocket,
provided he would give up the
Possession of the whole Estate to
Sir Robert, and settle it upon him,
thinking the Estate kept too long
from him; which shews his con-
stant Endeavour to shake the Lord
Robert off, as well as the present
Lord Kingston.*

*Now, in Answer to all the
forementioned Particulars, Sir
Robert King does declare, first,
That*

That he never knew, or heard, that there was any *Intail* of *Michelftown*, much less that the late Lord *Kingston* had any *Design* of *Docking* it : And that he never gave Mr. Gosling Orders to write any such Letter (as the Libeller mentions) to Mr. Raymond.

Sir Robert King does also further declare, That tho' he heard of several *Fines* levied by the late Lord *Kingston* in 1682, of particular Parts of his *Estate*, for the Security of Creditors, yet of none to his, viz. Sir Robert's Advantage, or with Design of Prejudicing the present Lord.

And as touching what is alledg'd by the Libeller, concerning Sir Robert King's com-

ing to Mr. Sprigg in 1683, or 1684, and of desiring him to Draw such a Settlement of the late Lord Kingston's Estate as might deprive his Lordship of Power to make Jointures, or Provision for Younger Children, or Leases for Lives, or Years, &c. Sir Robert do's say, That he never spoke one Word to Mr. Sprigg to that intent.

And (as the Libeller himself acknowledges) Mr. Raymond (whom he is pleased to stile Sir Robert's chief Accomplice) did violently exclaim against the Unreasonableness of such a Settlement: And those very Letters from Mr. Raymond, produced by the Libeller, do plainly prove it to have been
solely

solely of Captain Choppine's preparing, and directly contrary to Sir Robert's Sentiments, he having oppos'd the Making of any such Settlement of the late Lord Kingston's Estate as should be *Irrevokable*; and having also often declar'd, as Raymond affirms in his Letter, * dated the 20th of May 1684. That he thought it very reasonable that his Lordship should have Power to Alter the Uses, as he saw cause: And it was the Unacceptableness of such an Irrevokable Settlement to Sir Robert King (which Mr. Raymond very pressingly urg'd in his Letter to Captain Choppine): that prevail'd with the late Lord to alter his Measures, and put a

* Vid. Appendix No. 8. The Substance of Mr. Raymond's Letter, as in the Materials, &c.

stop to his *hasty Designs of levying a Fine and Recovery upon his Estate.*

And so far was Sir Robert from *having left this Deed in Captain Choppine's hands, with Instructions to get it perfected, and from going then for England, on purpose that he might not be thought to have a hand in it, that he knew not of any such Deed being drawn, or directed to be prepared, when he went for England in February 1683, as he not only solemnly professes, but is also ready to depose upon Oath.*

And as touching those *Clauses in that Settlement that Captain Choppine prepared, and the late Lord Kingston made, which*

which excluded the present Lord and his Issue from the Remainder of the said Estate; Sir *Robert King* does freely own, that he was then, and still is of Opinion, that they were such as well became the Honour of the late Lord *Kingston* to insert, and of the present Lord to have consented to; for (as Sir *Robert* himself declares, in his intercepted Letter to Dr. *Quail*, produc'd by the Libeller) the present Lord could not sure be against Excluding the Children of *Pegg Cahan*; to whom, if he be not Married, it cannot prejudice him; if he be, he cannot think her Children fit to Inherit *Boyle*, &c.

Now, to shew how suitably to his Uncle's Sentiments the present Lord *Kingston* expressed himself concerning this Affair, and how highly he resented the Injustice of his Friends in suspecting him Married to so mean a Woman, and how seriously, in all appearance, he declar'd his Abhorrence of so disgraceful a Design, I shall produce some Passages out of his Lordship's Letter * to Mr. *Gosling*, dated from *Paris* May the 23^d. (without mentioning the Year) wherein he severely Reprimands his Friends for their unworthy Reflections on his *Veracity* and *known Wisdom*, in believing him Guilty of such an *Action* as would render

* Vid. The present Lord Kingston's Letter in the Append. No. 9.

der him not only a Person of great *Imprudence*, but also of a *profligate Reputation*; the Woman whom they suppos'd him to have Married, being not only very much *beneath* him, but also one whom he had very *solemnly disown'd* by *Oaths and Imprecations*; for thus he expostulates with them on this Occasion in that Letter; *Would that be the Effect of one who was counted Wise, to play the Fool to go Marry a Scullian, tho' he lov'd her never so well.* And then complains of the *hard Usage* he had met with from his Friends, that tho' he damn'd himself to the Pit of Hell, he must never be believ'd; but that Bridget's and Will's Words must go before his Oaths:
And

And threatens Mr. Gosling, that except they send him some Recompence for the Injury they had done him, by their unworthy and dirty Thoughts, he would never forgive them. By all which we may perceive, as far as Words are expressive of Mens Thoughts, that the present Lord Kingston, by his Letter to Mr. Gosling, did abundantly confirm the Truth of what Sir Robert King writ to Doctor Quail, viz. That his Lordship could not think Pegg Cahan's Children fit to Inherit Boyle.

But his Lordship being sensible how little Credit Lovers generally gain to their most solemn Abjurations of their Mistresses, was pleased to make use

use of his Wit to support the Reputation of his Veracity ; and therefore the more fully to convince his Friends of the Sincerity of his Protestations against so dishonourable an Amour, and the more effectually to divert them from Entertaining any jealous Apprehensions of him for the future, he thought fit, besides the forementioned Letter to Mr. Gosling, to write one of another strain to Sir Robert King ; the purport of which was, to acquaint him of the late Lady Donegall's being then in Paris ; of his Intimacy with her ; of the Marks of Favour he received from her ; and of his full Assurance of Success, if he should
make

make his *Addresses* to her *Ladyship*: he alledg'd the greatness of her *Estate* as abundantly compensating for the disparity of their *Years*, which he did not think so considerable as might reasonably make him to despair of having *Children* by her; but withall, declar'd so great a *Respect* for his *Uncle*, and *Deference* to his *Judgment* and *Advice*, that he would not attempt a matter of that *Consequence* without his *Privity* and *Consent*. This Letter and other Papers were by unwarrantable means got, by the present Lord *Kingston*, out of the hands of Sir *Robert's* House-keeper at *Boyle*, in his Absence, in the time of the late *Troubles*. * The Effect of this Letter

* See *Append. N. I.*
Nola Murphey's
Affidavit.

ter was what the present Lord *Kingston* wisht for, and intended by it; for by this plausible but delusive Pretence, all his Friends in this Kingdom were drawn into a firm Persuasion of his having no Design of Disparaging his Family, by Marrying that *Irish* Servant-Maid, since he now seem'd with some earnestness to desire, and with impatience to wait for his Uncle's Consent to his Courting a Lady of considerable Quality and Fortune: Sir *Robert King* indeed could not approve of this Courtship, and therefore out of the regard he had to his Nephew's Advantage, and the Apprehension of the World's just Censure

sure on himself, if he should
 promote so unequal a Match,
 which gave so little Prospect
 of Children, he did by his Letter
 to him declare his utter
 dislike of his Design, and us'd
 several Arguments to dissuade
 him from it ; but in the mean
 time, he had so entire a Con-
 fidence in the Sincerity of his
 Nephew's profess'd Intentions
 (with his Friends Allowance)
 to make his Addresses to her
 Ladyship, that Sir *Robert* de-
 clar'd to his Friends, and par-
 ticularly to his Grace the pre-
 sent Lord Primate, (not with-
 out some Transport of Joy)
 that now he was fully convinc'd
 that *Jack* (for so he was us'd
 familiarly to call the present
 Lord

Lord Kingston) *was not Married to Peggy Cahan.*

Yet notwithstanding Sir Robert's stedfast Belief of the Truth of his Nephew's Professions, he thought it prudent, for the Vindication of his Honour, and for the effectual preventing of his disgraceful Marriage, to send an Instrument to be sign'd by the present Lord, the purport of which was, a solemn Declaration of the *Falseness of the Report* of his being Married to Margaret Cahan, and of his free Consent to his Brother's Excluding him, and his Heirs by her, in the Settlement of his Estate, in Case he were then, or should afterwards be Married to her, &c. The Words were these,

these, (as the Libeller himself sets them down) *The Report of my being Married to Margaret Cahan is so far false, that I am willing, and do hereby freely consent, That my Brother, Lord Baron of Kingston, in making the Settlement of his Estate, do exclude Me, Her, and all the Children I shall have by her : But as I sign this to give my Brother and the World Satisfaction that I am not Married to her ; so I desire, in Requital, in making the Settlement, I may have such a place in it as the Laws of GOD and Man appoint, viz. That I and my Heirs may Inherit next, and immediately after my Brother, and his Heirs : To this I freely Sign, as Witneß my Hand and Seal this----* being present, &c.

Now

Now, as the Framing and Sending this Instrument was sincerely design'd by Sir *Robert King*, as an effectual Means to prevent the Disgrace of his Family; so he did not question but that it would have been both kindly accepted, and freely sign'd by the present Lord *Kingston*: For Sir *Robert* being possess'd with a firm Belief of the Sincerity of his Nephew's Professions, could not imagine that he who had so earnestly desir'd his *Consent to his Courting the Lady Donegall*, and in the aforesaid Letter to Mr. *Gosling*, had so grievously complain'd of the *unworthy and dirty Thoughts of his Friends*, in suspecting him Married to so mean

a Woman as Margaret Cahan, would decline so Prudent, and sure an Expedient, of preventing such dishonourable Sentiments of him for the time to come, much less, that he would ever represent it as a Grievance to give that under his Hand, by his Uncle's Advice, which he had so often and so freely Sworn to many others, and had (as he himself expresses it in that Letter) *Damn'd himself to the Pit of Hell,* for the Confirmation of its Truth.

By all which it may appear, with what Justice the Libeller Taxes Sir *Robert King* with knowing that the present Lord *Kingston* was Married, when he sent him the Instrument to
Sign;

Sign ; seeing he had then not only the Word and Honour of a Man of Quality, but also the Faith of a Christian, given in the most solemn manner, to engage him to believe the contrary.

And that which abundantly vindicates Sir *Robert King* from the Libeller's farther most scandalous Suggestions concerning this Instrument, is the *Manner* of his Transmitting it to the present Lord *Kingston* : For if Sir *Robert* had been conscious of the Unreasonableness of his Nephew's signing that Paper, or had intended, as the Libeller insinuates, to *Wheedle him into a Consent of his Brother's making a new Settlement, and to the lay-*

ing aside the old Intails, (as the Libeller calls them) in Munster and Connaught, wherein the present Lord had Remainders, immediately after the Death of his Elder Brother: If Sir Robert King, I say, had had any such fraudulent and circumventing Design, he would not surely have sent the *Instrument* inclos'd in a Letter into England, to the present Lord's Grand-Mother, the Lady *Wimbaldon*, in order to be shew'd to, and sign'd by her Grand-Son: And as the Libeller does freely own, that *this Paper was shew'd to the present Lord Kingston by his Grand-Mother*; so he does not so much as pretend, that her Ladyship, or any other of his

English

English Relations, or Friends,
 did either *reflect* on Sir Robert
 King for sending it, or *thought*
 it *improper* for his Lordship to
 Sign it: For tho' he tells us
 that his Uncle, Sir Thomas Ber-
 nardiston, *Fee'd a Lawyer, who*
was of Opinion, that it was dan-
gerous for the present Lord to Sign
it, whether he was Married or no;
 yet Sir Robert King having ne-
 ver heard of any such Advice
 being given his Lordship, nor
 ever receiv'd any such Intima-
 tion from the Lady *Wimbaldon*
 in her Answer to his Letter,
 has reason to believe it to be
 an Excuse, purposely fram'd by
 the Libeller, in order to con-
 ceal the true Reasons of the
 present Lord *Kingston's* Re-
 fusal

fusal to Sign the said Instrument.

It has indeed been sometimes the Fate of some of the Nobility, both in *England* and *Ireland*, by reason of the Smallness of their Estates, and for the Support of their Honour, to Marry into Families much inferior to their own ; but then the Largeness of their Ladies Fortunes has made some Compensation for the Meanness of their Descent ; and the Protestants of Quality, even in *Ireland*, have had so due a *Regard* to the *English* Extraction, and so warm a *Zeal* for the Protestant Religion, that few can be found that have contracted Marriages with any
Irish

Irish Papists, tho' of the greatest Families, and Estates; but no single instance, I believe, can be given of any Protestant Gentleman, of Noble Blood, and of *English* Descent, (except the present Lord *Kingston*) who, with great Deliberation, and against the repeated Advices and earnest Endeavours of all his Friends and Relations, for several Years together, Married an ordinary Servant Maid, and an *Irish* Papist.

And the late Lord *Kingston* was the more sensibly affected with this Calamity, and more provok'd with his Brother's Disgracing himself, by that ignoble Marriage, because the Woman he had made Choice

of for his Wife, was not only a Papist by Profession, and of mean *Irish* Parentage, and in a low Station amongst the Servants of his own Family; but was also one who had neither Charms of Beauty, nor gentle Behaviour, nor Agreeableness of Conversation, to engage his Affections; for tho' it may reasonably be hoped, that the present Lady *Kingston* is a well accomplish'd Lady, as having, for these several Years past, had all the Advantages that the Court of *St. Germain's* could afford, for Improving her to a Degree answerable to her present Quality; yet certainly, all those that knew *Margaret Caban*, when she liv'd a Servant-Maid in

in the late Lord *Kingston's* House at *Abby-Boyle*, must acknowledge that she was then very far from having any Accomplishments, either of Body or Mind, to recommend her as a Wife to any Gentleman : And therefore, tho' the present Lord was so far carried away with an unaccountable Passion, as to Marry a despicable and homely Woman, as she then was ; yet it might reasonably have been expected, that one *who had been counted Wise*, shou'd have demean'd himself towards his offended Brother, and the rest of his Relations, with so much Modesty and Respect, as might have testify'd a deep Concern, not only for his

his own Misfortune, but also for the Dishonour he had done his Family. But, on the contrary, he was so far from taking such prudent Measures, as might possibly at last have recommended him to his Brother's Favour, that immediately after the late King *James's* Accession to the Throne, he did not only publicly expose his Brother's Honour, and his Uncle's Justice, in a high reflecting *Petition*, which he preferr'd to the King, and in his *Address* to the House of Lords in *England*; but did also, within a while after, to the unspeakable Grief of the late Lord, and all his Relations, openly Renounce the *Protestant Religion*, and declar'd

clar'd himself a *Papist*, and merited so highly of the Popish Party, and became so speedily famous for his bigotted Zeal, that he was advanc'd to the Dignity of being one of the Gentlemen of the *Privy-Chamber* to the late King *James*. All which disobliging, scandalous and dishonourable Actions of the present Lord, immoveably fix'd and confirm'd the late Lord *Kingston* in the former Resolutions he had taken, of Disinheriting him, and Settling his Estate upon his Uncle, and the Heirs Males of his Body.

Now, because the Odium of the late Lord *Kingston's* Displeasure against his Brother, is
by

by the Libeller wholly cast on Sir *Robert King*, and the Dishe-
 rison of the present Lord is
 suppos'd by him (tho' with-
 out the least shew of Proof)
 to have been first fram'd at Sir
Robert's Instigation, and brought
 about by his *Contrivance*, I shall,
 in order to a full Vindication
 of Sir *Robert's* Innocency in
 this whole Affair, produce the
 Testimony of such Gentlemen,
 as, by their personal Know-
 ledge of all Matters relating to
 the late Lord *Kingston's* Settle-
 ment of his Estate, are most
 fitly qualify'd to give their
 Evidence, and, by their esta-
 blisht Reputation for Integrity,
 are the most Credible Witnesses
 in what they do attest. The
 first

first Person that I shall mention, is the Reverend Doctor *Francis Quail*, who not only attended the late Lord *Kingston* in the Capacity of a Tutor, for about a Year before his Father's Death, but continued in that Station for many Years after, and accompanied him in his Travels into *France*, and had also the present Lord *Kingston* committed to his Care, for some time, by Sir *Robert King*, Uncle and Guardian to them both. The said Doctor *Quail* does declare, and has depos'd upon Oath, * *That he always observ'd in Sir Robert King a great Care of, and Affection for, the late Lord Robert, and present Lord John : And that*
the

* Vide Dr.
Quail's Affidavit in
the Append.
No. 10.

the said Sir Robert, at the time of sending the late Lord Kingston abroad, being press'd by some Friends, to permit the present Lord to accompany his Brother in his Travels, refused to consent thereto, saying, It was not fit to expose them both together to the Hazard of the Seas, and Foreign Parts. And does further declare, That he always observ'd a Backwardness in Sir Robert King touching such a Settlement in Exclusion of the present Lord; and he verily believes the said Sir Robert never did, either by himself, or any other Person or Persons whatsoever, persuade or solicit the said late Lord to make such a Settlement; and that the said Sir Robert sent him to the said late Lord, to signify

nifie his, the said Sir Robert's dislike of it, and to dissuade him the said Lord Robert from making thereof; which Message the Doctor deliver'd to the said late Lord, at which the said late Lord seemed to be moved, and said he would proceed in it, or Words to that effect, and that Peggy Cahan's Issue should never enjoy his Estate.

And to this purpose Charles Gosling, Esq; (who was sometime Secretary to the late Lord Kingston) has depos'd, * That when the News came, of the present Lord Kingston's being Married to Margaret Cahan, the late Lord was so much troubled at it, and so much enrag'd at him, that he soon after resolv'd to Levy

* Vid. Mr. Gosling's Deposition in the Appendix. No. 4.

a Fine, and suffer a Recovery of his Estate, both in Connaught and Munster, and told his Uncle, Sir Robert King, of his Resolution, and that he would settle the same upon him, and his Children : And that Sir Robert thereupon advis'd him to the contrary, telling him, That tho' his Brother had Married so far beneath himself, and his Family, yet she might make a good Wife, or Words to that effect ; upon which the late Lord Kingston solemnly profess'd and swore, That in Case Sir Robert King would not accept of the Settlement, he would settle the Estate upon his Cousin, Captain Francis King, and his Children ; which this Deponent, viz. Mr. Gosling, often

often heard the said Lord Kingston declare ; and this Deponent does also verily believe, that he would so have done, in case the said Sir Robert had not accepted of the same.

Nor can the late Lord Kingston's Disinheriting his Brother be judg'd an Act of unreasonable Severity, if, besides what has been already said, it be but considered, that the present Lord's private Fortune, left him by his Grand-Father, Sir William Fenton, which he then enjoy'd, amounted to 600*l.* per Annum, which, to any impartial Judgment, will pass for more than a competent Inheritance for the Children of such a Mother. And tho' the late

H Lord

Lord Kingston shew'd a just Displeasure at his Brother's disgraceful Marriage, by Disinheriting his Issue by the *Irish* Servant-Maid, yet he express'd a tender Regard to the Nearness of the Relation, by ordering such a Clause to be inserted in the Settlement, as might be a saving to such Sons as the present Lord Kingston should beget on the Body of such a Wife as he should Marry, with the Advice and Consent of his said Brother, and his Uncle Sir Robert King, or such of his next Relations as should be then living, &c. And surely the late Lord Kingston had no cause to believe that his Brother would think it unreasonable, that the Children of that Woman,

man, whom, in his Letter to Mr. *Gosling*, he acknowledg'd to have been a *Scullian*, should be barr'd from Inheriting a *Lord's Estate*.

And as we may perceive, by Mr. *Gosling's* Deposition, that the late Lord *Kingston* did solemnly declare his Intention of Settling his Estate on Captain *Francis King*, if his Uncle should obstinately persist in the Refusal of it; so the present Lord was so fully persuaded of the Stedfastness of those his Brother's Resolutions, that when he came to Age, he *freely*, and of his own Accord, declar'd his *Consent* to his Uncle's *Acceptante* of his Brother's Estate, which the late Lord *King-*
H 2 *ston*

ston had before very frequently offer'd, and earnestly press'd, and Sir Robert had as often, and obstinately refus'd : For when Sir Robert King was going for England, in February 1683. the present Lord Kingston was pleased to favour him with his Company to Rings-End, and on the way, the present Lord, without any Connexion with their former Discourse, address himself to his Uncle in these, or the like Words, Uncle, when I was under Age, you refus'd to accept of the Estate offer'd you by my Brother ; but now I am come to Age, I freely consent to your Acceptance of it. The Truth of this Sir Robert is ready to depose, and has also the Testimony

stimony of Doctor *Horneck* to confirm it ; for in his * Letter to Sir *Robert*, dated Sept. 22. in the Year in which he died, he declares, That *the present Lord Kingston* did acknowledge to him, that he had given his Consent to the passing his Brother's Estate to his Uncle.

* Vid. *Append. No. 10. Dr. Horneck's Letter.*

Yet notwithstanding this so voluntary, and so seemingly a deliberate a Tender, which the present *Lord Kingston* made his Uncle, of his Title to, and Interest in his Brother's Estate, Sir *Robert King* was still scrupulous in Accepting of it, until he had stated his Case to Four of the most Eminent Divines in *England*, (whom he consulted a-part, without Ac-

H 3 quaint-

quainting any one of them of his having had the Advice of any other) and had receiv'd their unanimous Agreement in their Opinions of the Lawfulness of his Acceptance of such a Settlement.

And to convince the Reader that Sir *Robert* did not (as the Libeller most groundlessly suggests) *State his Case after his own Way*, but with all Faithfulness and Truth, I here produce it in the very Words in which he propounded it to the *English* Divines, as may appear by the Original sign'd by them.

A. having a fair Estate, Two Sons, and One Brother, dies; the Younger Brother having an Estate
of

of Five Hundred Pounds a Year, from his Mother's Father, Marries, about Eighteen, an Irish Papist Servant in his Brother's Family; on which, the Elder desires to settle his Estate, after his own Issue, on his Uncle, and his Issue, and cut off the Brother: But the Uncle has for some time declin'd the Proposal, on the score of Conscience, until the Younger's coming to Age, who, sensible of the Disparagement brought upon his Family by his mean Marriage, has desir'd his Uncle to accept the Offer; yet still the Uncle continues scrupulous, and begs to know, whether in good Conscience he may Accept, or is bound to Refuse the Estate so offer'd. The Younger Brother has by this Girl one or more Sons. And

H 4 they

they gave their Opinion in the following Words: *The Case being so, as is propounded, my Opinion is, That the Uncle may, with a good Conscience, Accept, and is not bound, by any Rule of Conscience that I know, to Refuse such a Settlement.*

John Cestriensis.

I see no Reason why he may not Accept, or why he should think himself bound in Conscience to Refuse the Estate so offer'd.

John Tillotson.

I am of the same Opinion.

Edward Stillingfleet.

I am of the same Opinion.

John Sharp.

Nor is the Libeller less mistaken in what he suggests concerning the *Time*, than in what he says of the *Manner* of Sir Robert's *Stating his Case* to the Divines; for tho' he intimates, that he had not ask'd their Opinions before he had actually accepted of the Estate, yet the Truth of the whole Matter is plainly this, which Sir Robert is ready to depose; Sir Robert going for *England* in *February* 168¹. at his first Landing there, waited on Doctor *Pearson*, then Lord Bishop of *Chester*, and consulted him concerning the fore-mention'd State of his Case, who then writ, and sign'd his Opinion thereon; and when
he

he came to *London*, he discours'd the several other Divines above-mention'd, (who all concurr'd in their Judgments with the Bishop of *Chester*) before he consented to the late Lord *Kingston's* leaving him next in Remainder to his Estate. But afterwards, in his Return for *Ireland*, conceiving it fit to have all their Opinions in Writing, he sent the Original Case, with the Bishop of *Chester's* Hand to it, to Mr. *Raymond*, who was then in *London*, to get the rest to Sign what before they had declar'd, which accordingly they freely did.

But, besides the great and undeniable Evidences I have already produc'd, to prove the
False-

Falseness of the Libeller's Suggestion, *That Sir Robert King endeavour'd, by all the Artifices he could invent, to procure the Disberison of the present Lord, I shall mention two, which I may reasonably presume are beyond Exception: The first is, The Testimony of the late Lord Kingston, who, in his Directions to draw an Answer to his Brother's Case presented to the House of Lords in England, declares, in a Paper * under his own Hand, ready to be produc'd, That the first Rise of his Brother's Wife (the present Lady Kingston) was, to be his Poultry Woman's Servant, and her greatest, to be his Dairy-Maid, till she became his, viz. his Brother's*

* Vid.
Appendix
No. I I. *The*
late Lord
Kingston's
Paper.

*ther's Spouse: And then follow these remarkable Words; That it was on this Occasion I settled my Estate from him, and his Heirs, into a Family of good Extraction, and not, as he most unjustly says, by the Advice and Desire of Sir Robert King, my Uncle, who was the only Man of all those that knew my Designs, that oppos'd so just a Settlement. To this may be added the late Lord's * Letter, dated June 29. 1688. in which he says, If I could more firmly settle what I have, I would, and rivet it, rather than it should be ever alter'd.*

* Vide
Appendix
No. 20. The
late Lords
Letter to
Sir Robert
King.

And if any Testimony in this Case may be imagin'd greater, than that of the late Lord Kingston's, it must be
that

that of a profess'd Adversary to Sir Robert King, and even this I have to produce for Sir Robert's further Vindication: For the present Lord Kingston himself, after his publickly known and avow'd Marriage, and even after his having the certain knowledge of his own *Exclusion* out of his Brother's Settlement, writ a Letter * without date, but some time in Summer 1684, to Sir Robert, who was then in *England*, wherein he was so far from Accusing Sir Robert of *Promoting* his unfortunate Marriage, or of having done him *ill Offices* with his Brother, or of being an Instrument of his *Disherison*, that he professes a great *Respect* to him,

* Vide
Appendix
No. 14. The
present Lord
Kingston's
Letter

him, stiles him his dear Uncle, and declares, *It was not want of Duty, that he had not waited upon him; acknowledges the Kindnesses of his Relations, and confesses that bitter Reproaches were due to him from them; and that he was resolv'd to live private, and retir'd from the Sight of all his Relations and Friends; and ends that Letter with seemingly sincere and hearty Promises of perpetual Dutifulness to his Uncle, in these words; And tho' perhaps you may never see me, yet as far as my Power shall ever reach, you shall ever find me your Dutiful and Obedient Nephew.*

And now having, as I hope, very fully answer'd the Libeller's main Objections against
 Sir

Sir Robert King, relating to the Discharge of his Office of *Guardian* to his Nephews, and to the Circumstances of the present Lord Kingston's Marriage, and the late Lord's Settlement of his Estate, the remaining Objections will be more easily dispatch'd. For, first, to what the Libeller suggests against Sir Robert King, That he so wrought his Ends with the late Lord Kingston, as to get him to settle 600l. or 800l. per An. of the New Estate upon him; the Answer is plain and easie; for 'tis very notorious, that the Estate, which the Libeller means, was not settled on Sir Robert King by the late Lord Kingston, but by his Father, Sir Robert King's Brother. And

And here Sir *Robert* takes Occasion, with all Gratitude, to acknowledge his Brother's extraordinary Kindness to him; for whereas his own Patrimony was but small, his Brother, the late *John* Lord *Kingston*, was pleased to settle on him, and his Heirs, by a Rentcharge, 400 *l. per Annum*, in order to his Marrying an Heiress of an equivalent Fortune; and Sir *Robert* does freely own, that after his Brother's Decease, his Executors and Trustees did accordingly set out Lands out of the New Estate, to the Value of 400 *l. per Annum*, in lieu of the Rentcharge for that Sum on the whole Estate: By which the Reader may perceive the
Inge-

Ingenuity of the Libeller, not only in Advancing 400*l.* into 600*l.* or 800*l.* *per Annum*, but also in Representing that as the Effect of Sir Robert's *Artifice*, and *Influence* over his Nephew, the late Lord Kingston, which was purely the Result of his Brother, the late Lord John's Generosity.

And as to the Objection concerning Sir Robert's and Mr. Raymond's *Incensing* the late Lord Kingston against his Brother, on Account of his not Returning the Papers relating to the Mannor of Newcastle, which he had got from Dr. Quail; the true State of that Matter is plainly this; Mr. Raymond being appointed a Trustee by the
I present

present Lord *Kingston's* Grand-Father, Sir *William Fenton*, in several Deeds made by him of his Estate in *Munster*, (of which *Newcastle* was a part) and having deposited the Writings relating to that Interest in the Hands of his Son in Law, Dr. *Quail*, the present Lord prevail'd with the Doctor to send him the Writings that concern'd *New-Castle*, on Promise of Restoring them when requir'd, which his Lordship afterwards refusing to do, Sir *Robert King*, knowing that the late Lord had a Remainder in that Estate, advis'd Mr. *Raymond* to acquaint his Lordship with the Damage he might suffer by those Papers being detain'd by his

his Brother, and not lodg'd (as they ought to be) in the hands of the Trustee: And this being the plain and whole Truth of that Case, the Libeller surely had no reason to represent Sir Robert's Justice to the late Lord Kingston as an ill Office to the present Lord.

Nor has the Libeller more reason to reproach Sir Robert King for *Advising the late Lord Kingston, immediately after the late Revolution, to settle and apply Newcastle to pious Uses*; for tho' that Mannor was left to the present Lord, by his Grand-Father, Sir William Fenton; yet his Lordship being at that time a Forfeiting Person, on account of his adherence

to, and continuance with the late King in *France*, and consequently, in no Capacity of Enjoying it, and his Brother, the late Lord *Kingston*, having Pretensions to that Estate, (as being in Remainder in the Settlement, as well as Heir at Law) Sir Robert's *Advising the late Lord to dispose of it to the Poor*, cannot reasonably be interpreted as an *Injustice* or *Dis-service* to the present Lord *Kingston*.

Nor is Sir Robert King solicitous to make any Defence for his Opposing the *Reversal of the present Lord's Outlawry*; for his Lordship having, not only some Years before the late Revolution, publicly renounc'd
the

the Protestant Religion, but also for some time since *profest* himself a Papist, and having left his Lady and Children in *France*, as Hostages of his firm Adherence and Fidelity to the late King, Sir *Robert* thought himself oblig'd to lay this Matter before the Government: The Consideration of which being referr'd to the then Solicitor General Sir *Richard Leving*, he declar'd it as his Opinion, That it was not safe for the Lord *Kingston* to Reverse his Outlawry, until he had brought over his Lady and Children into His Majesty's Dominions, in Order to their being Educated Protestants: On which the Lord *Capell*, the

then Lord-Deputy of this Kingdom, (judging it a Business of Consequence) thought fit to transmit it into *England*; whereupon the *Reversal* of the present Lord *Kingston's* Outlawry was stopt, till his Lordship's Eldest Son came to *London*, and he had sent into *France* for the rest of his Family. And here we may take an Estimate of the Libeller's Loyalty to His Majesty, and of his Regard to the publick Good, by his blaming Sir *Robert King* for not preferring his Nephew's private Advantage to the Safety of the Kingdom, and Security of the Protestant Religion.

Nor is that more fairly represented by the Libeller, which
he

he writes concerning the late Lord Kingston's Promise to the late King, to leave the Matters in Controversie between him and his Brother, as they were in the Original Settlement: For that which the late Lord Kingston promis'd the late King James, was not, as the Libeller insinuates, to make him Heir to his Lordship's Estate, but only to continue him in the peaceable Possession of the *Mannor of Newcastle*, to which, as being Heir at Law, the late Lord had fair Pretensions; all which Sir Robert King is ready to depose.

And as to what is objected concerning Sir Robert King's being inform'd by Dean Cope of

some Papers left by the late Lord Kingston for the Use of his Brother, and Sir Robert's endeavouring to suppress them; the Occasion of that unjust Reproach was only this: Dean Cope having acquainted Sir Robert King that there was a Report in the Country of some Papers being left by the late Lord Kingston at his Death, not for the Use of his Brother, (as the Libeller suggests) but of his Lady, Sir Robert writ to the Dean from Dublin, to take all possible Care to have them transmitted to the present Attorney-General, Trustee for the Lady Kingston; but the Dean, after the strictest Enquiry he could make, could find no
such

such Papers, and discover'd the Report relating to 'em to be altogether false and groundless.

As to what is offer'd from the late Lady Dowager Kingston's Answer to a Bill fil'd against her by Sir Robert King, namely, *That her Lord declar'd to her, that he was sorry he had made such a Settlement, and that he had designs to alter it ;* It is answer'd, That Sir Robert, out of Respect to her Memory, being willing to suppose the Truth of what her Ladyship has averr'd, has nevertheless good reason to believe, that tho' his Lordship might perhaps, in some sudden heat, express himself to that purpose,
on

on occasion of Sir Robert's plain dealing with him in other Matters, yet his Lordship never did, upon serious Thoughts, shew any dislike of that Settlement; for as it is observable, that her Ladyship does not, in her Answer to Sir Robert's Bill, give the least hint of her Lord's designing to settle any part of his Estate on his Brother; so it is generally known, and has been publickly attested by Persons * of good Credit, who were most conversant with him, that in his Lordship's constant Discourse he declar'd himself *highly pleas'd with the Settlement* he had made, and did also in his last Sickness declare *his Fears, that his*
Uncle's

* Vid. Mr. Connelly's Deposition in the Appendix. No. 13

Uncle's easie Temper would incline him to act contrary to his Lordship's full Design, and the purport of the Deed which he had made.

And as touching the pretended *Declaration* and *Deed* of the late Lord *Kingston's* Revoking the Settlement made in the Year 1689, and granting his Estate to his Brother, &c. Sir *Robert King* does not in the least doubt but that he shall be able, when there is Occasion, to make good his Title against all pretended *Declarations, Deeds, and Revocations*, that have been set up since the late Lord's Death, and against all other Pretensions whatsoever.

But

But that the Reader may the better judge of the Credibility of these Pretences, it will not be improper to inform him, that it appears by an Affidavit, ready to be produc'd, That considerable Rewards were promis'd to a Clerk belonging to the *Common-Pleas*, to imbezil or raze two Writs of Covenant which belonged to two Fines levied of the *Boyle* Estate by *Robert* the late Lord *Kingston*, and that these Proposals were made by *Daniel Sullewane*, a Person who was then in the Interests of the present Lord *Kingston*.

And it has been also fully and publickly prov'd, that in the Year 1695, when Mr. *Raymond*

mond was in *Dublin*, and was suppos'd to have Sir *Robert King's* Papers with him there, several profligate Persons, of the Name of *Sullevane*, (one of which then waited on the present Lord *Kingston*) corrupted Mr. *Raymond's* Servant, to steal away his Master's Papers, which he accordingly did; and the whole Matter being plainly detected, one of the Person's concern'd being taken, was Pillory'd, and the rest fled: And it was remarkable on the Tryal, that it was prov'd that they gave the Servant a strict Charge to search for a Paper, containing a Discharge, or general Release, given by the present Lord
King-

Kingston to *Sir Robert King*,
for his Guardianship.

And to this purpose it is observable, That in the time of the late War, when *Sir Robert King* was in *England*, the present Lord came to a faithful old Servant, of *Sir Robert King* at *Rockingham*, and perswaded her to deliver him the Papers she had of *Sir Robert's*, and promis'd he would keep them safe for him, and on that Pretence got them into his Hands, and never would afterwards restore them; all which is fully depos'd upon Oath. *

* Vid. *Append. No. 14*
Nola Murphey's Affidavit.

Now to what is objected concerning *Sir Robert King's* and *Captain Choppine's* offering to buy *Sligoe*, and to put 2000*l.*

in

in his Lordship's Pocket, on Condition he would make an absolute Deed, and put Sir Robert King into the actual Possession of his whole Estate; the Answer is very plain: For as Sir Robert was never known to be a Purchaser; so it cannot reasonably be imagin'd, that Captain Choppine, who bequeath'd Sir Robert King nothing at the time of his Death, would have made so great a Purchase for him in his Life time.

And it's hardly worth mentioning what is objected concerning Sir Robert King's Buildings at Rockingham, viz. That they were so Sumptuous, as to bear no Proportion to his Estate; and therefore, that it may be well inferr'd,

ferr'd, That Sir Robert had Designs all along on Boyle and Micheltown: For supposing we should grant what the Libeller suggests, concerning the Greatness of Sir Robert's House, (which none that have seen it will allow) yet the Inference he draws from thence is altogether groundless, and unreasonable: For tho' Mens Building beyond their Fortune has been frequently esteem'd an Argument of their Imprudence, yet scarcely ever of their Covetousness; it being often known, that many have Built themselves out of their own Estates, but seldom or never into those of other Men,

And

And as Sir *Robert King* gave many signal Proofs of his *Affection* to the late Lord *Kingston's* Person, so also he plainly demonstrated his sincere *desire*, that his Estate should descend to his Issue: For even after the perfection of that *Settlement*, by which Sir *Robert* and his Sons were Nam'd next in Remainder to the late Lord *Kingston* and his Issue, Sir *Robert* was so far from being tempted by the prospect of Advantage, to use any *Artifice* o divert his Lordship from the thoughts of Marriage, that the very consideration of his kindness in that *Settlement* did move Sir *Robert* to be more than ordinary Solicitous to

K provide

provide his Lordship a good Wife, and accordingly, by the Advice and with the Assistance of the late Lord Arch-Bishop of *Canterbury*, Dr. *Tillotson*, he endeavoured to procure for him the Lord *Hatton's* Daughter, who was his only Child, and had 10000*l.* for her Portion, besides the expectation of her Father's Estate; but tho' the Lord *Hatton* himself gave some Encouragement to the Lord *Kingston's* Courting his Daughter, yet the young Lady's Relations by her Mother's side being unwilling she should leave *England*, the Match was broke off.

Some time after this, Sir *Robert King* advis'd the late
Lord

Lord *Kingston*, to make his Addresses to the Lady *Elizabeth Cromwell*, of the Kingdom of *Ireland*, and with his Lordship's Approbation, had several Treaties with the young Ladies Relations, and had such Encouragement given him to continue his Solicitations of this Match, that it was once thought to be very near a Conclusion, when on a sudden, the young Lady chang'd her Mind, and to Sir *Robert's* great surprize and concern, all his endeavours to carry on that Design, prov'd ineffectual.

And not long after this, there being a Proposal made for the late Lord *Kingston's* Courting of Mr. *Harbord's*

K 2 Daugh^r

Daughter, Sir Robert King did not only give his free Consent to his Lordships making his Addreses to that Lady, but did also heartily Negotiate that Affair, and at length brought it to a happy Issue.

And lastly, to shew the groundlessness of the Libeller's Suggestion, that Sir Robert King, on the late Lord Kingston's Marriage, gave directions for the making a new Settlement of that Lord's Estate, plying him with Company at the Tavern for Eight days together, and Incensing him all the while against his Brother, till that Settlement was perfected, and Sir Robert had got himself and his Children nam'd next in Remainder, after the late Lord and
his

his Issue, excluding his Brother :
 I shall produce Mr. Raymond's
 Testimony on Oath, * who
 declares that Sir Robert King,
 being inform'd that the late Lord
 Kingston had commanded Mr.
 Raymond to provide a new Deed
 of Settlement to be Drawn, in or-
 der to his Marriage, sent him to
 acquaint his Lordship, that by the
 former Deed of Settlement he had
 made, his Estate was, for want of
 Issue of his own Body, to go to Sir
 Robert King and his Sons, but that
 by a Proviso in that Settlement there
 was a Power reserv'd to his Lord-
 ship, some Months before and after
 his Marriage, to Revoke that Deed,
 and make such a Settlement of his
 Estate as he should think fit, and
 therefore desir'd his Lordship seri-

* Vid. Ap-
 pend. Mr.
 Raymond's
 Deposition.
 No. 15.

ously to consider with himself, and also to consult some eminent Divines in the City of London, whether he was not oblig'd in Conscience to Settle his Estate on his Brother, when it was in his Power; because if there were a new Deed, and Settlement made upon his Marriage, with the like Uses and Limitations as in the former, it would not be in his Power to revoke it. This Message Mr. Raymond Swears, he faithfully deliver'd from Sir Robert King, to the late Lord Kingston, who commanded him to acquaint his Uncle, that he desir'd him not to trouble himself any more in that Matter, because he was fully resolv'd to continue the former Settlement as it was, or to Settle the Estate on Sir Robert's Sons, if he refus'd it. And

And now I do not doubt but that every judicious and impartial Reader will be fully perswaded that no just Reflection can be made, either on the late Lord *Kingston's* Honor in Settling his Estate on his Uncle, or on Sir *Robert King's* Justice in accepting it; for tho' his Lordship was pleased to *Exclude* his Brother, yet 'tis very plain, that he did it on such weighty Considerations as would undoubtedly prevail with every Protestant Nobleman to *Disinherit* his only Son: And tho' Sir *Robert King* did permit himself to be Nam'd next in Remainder to the late Lord and his Issue in that Settlement that was Revokable,

yet he did it not, (as has been plainly prov'd) till the present Lord had not only *freely given his Consent to his Uncle's acceptance of the Estate*, but had also vilely *prostituted* his own, and his Families Honour by his *Ignoble Marriage*. But the grand Reasons that provok'd the late Lord *Kingston* to Exclude his Brother out of the final and irrevokable *Settlement*, perfected some time before his Marriage, were the unworthy *Aspersions* that he cast on him in his Petition to the late King, and in his Address to the House of Lords in *England*, and his open *renouncing* the Protestant Religion, and his avow'd *Adherence* to the late King *James's* Interests.

As

As touching the last Head of the Libeller's *Materials for a Bill of Discovery against Sir Robert King, &c.* which concerns Matter of Title, and consists of a Recital of several *Deeds of Settlement*, and other *Conveyances*, Sir Robert thinks it improper for him to make any particular Defence in this Paper, all those things being now referr'd, by Consent of Parties, to the *Arbitrement* of some of the Reverend Judges, and to the *Umpirage* of his Excellency the Lord Golloway.

And as I have good reason to hope, that their Determination of that Controversie will be in Sir Robert King's favour, so I don't question but that,
by

by the *Answers* that have been return'd to the Libeller's most invidious *Suggestions*, Sir Robert's *Innocency* will be fully vindicated, and that it will appear to every intelligent and ingenuous Reader, that nothing could reasonably be expected from an *Affectionate Uncle*, from a *Faithful Guardian*, from a *Grateful Brother*, and from a *Prudent and Good Man*, which Sir Robert King has not done for his Brother's Sons, the late and present Lord *Kingston*.

APPENDIX.

N^o. I.

Anthony Raymond, *Esq;*
his Oath.

1. **A** *Nthony Raymond, Esq;* came this Day before Me, and made Oath, That he does not remember, that the present Lord *Kingston's* Father did design and direct that the late Lord *Arran* and Sir *Robert Booth* should, after his Death, be Guardians to the late, and present Lord *Kingston*; and that he did not use any Artifice

ficeto perswade them to choose their Uncle, Sir Robert King, for their Guardian; *nor was he* (that he remembers) *ever desired by the said Sir Robert King to move them to it*, but what he advised in that particular was for their good.

2. That he knew of no *ill Designs of Sir Robert King* on his Nephews, but that, on the contrary, he always promoted their Good, and Advantage; and that he, this Deponent, never did enter into *Combination* with the said Sir Robert, Captain Caulfield, Doctor Cope, Mr. Gosling, and Francis Quail, to deprive the late or present Lord of their Estates, or to do any thing to their Prejudice, but
was

was active to promote their Interests, as appears by many Instances well known to many.

3. This Deponent further declares, That he always observ'd a great Zeal in Sir Robert to persuade the late Lord *Kingston* to an honourable Marriage; that he was often employ'd by the said Sir Robert *King* to bring the same to effect, and particularly remembers, that, being in *London*, the said Sir Robert was inform'd of one Madam *Holland*, an Heiress of an Estate worth 800 l. *per Annum* old Rent, as he remembers, near *Manchester*; whereupon he the Deponent, with a Friend that had some
In-

Interest and Acquaintance in that Family, were order'd by the said Sir *Robert* to visit the Lady, and inquire into the Truth of Matters, as to her Fortune and Person, and from thence this Deponent was directed to go and give the late Lord an account of it, then in *Ireland*, which he did accordingly, and which so far pleas'd his Lordship, that he fully resolv'd to make Court to the said Madam *Holland*, prepar'd for his Journey, and pitch'd on Mr. *Adam Purdon* for his Companion, and order'd the Deponent to go before, to prepare things, which he did; but when this Deponent came there, he found that the Lady
 was

was too far engag'd, a Match being as good as concluded on with another.

4. That he was by the said Sir Robert King sent into the North, to a Place (as he remembers) call'd Bangor, to one Mr. Hamilton, as he believes, Uncle to the Lady Betty Cromwell, to give an account of the late Lord's Estate, in order to a Match that was on foot betwixt the said Lord Kingston and the Lady Betty Cromwell; and that afterwards being in London, the Matter was so far prosecuted, that Deeds were a preparing in order to a Conclusion of a Marriage, which the said Sir Robert seem'd to this Deponent to be very
intent,

intent, and earnest for; but by some occasion it broke off.

5. This Deponent further deposeth, That he does not remember to have receiv'd any Letter from Captain Choppine, bearing date the 17th of June, 1684. wherein these Expressions are; *That the Fire kindled must be kept alive by Sir Robert's Friends: That an Opportunity offers to make him and his Happy. I promise he will gratefully reward you, &c.*

6. That he very well remembers, That on passing the Accounts of Sir Robert's Guardianship of the present Lord Kingston, he the said Lord did freely, and of his own accord, allow the said Sir Robert King
One

One Hundred and Fifty Pounds
for his Care and Charges in
the Management of the said
Guardianship.

Ant. Raymond.

Jurat coram me 15 die
Augusti, 1698.

Ste. Moore.

N^o. II.

The Deposition of Mrs.
Elenor Sankey.

E*Lenor Sankey, of the City*
of Dublin, Widow, came
this Day before Me, and made
Oath, That she, this Depo-
nent, being at Sir Robert King's
House in Abby-Boyle about
Christmas, which was in the
Year of our Lord 1678. the

L pre^a

present Lord *Kingston* applied to her, this Deponent, in behalf of his now Lady, saying, that he had a Complaint to make to her, and with Tears in his Eyes told this Deponent, That there was a poor innocent Girl in the Castle (meaning the late Lord *Kingston's* House) who was an Underling, and he saw her a quiet Creature, and desir'd Mrs. *Horsey* (who was then Housekeeper to the said Lord *Kingston*) to advance her to be his Chamber-Maid, which she accordingly did, whereupon Mr. *Gosling* and some others said, That he, the present Lord *Kingston*, and the said Girl, were too familiar, or too great,
as

as the present Lord *Kingston* then told this Deponent, adding, that the reason of their Censuring her was, because she would not yield to them in any ill thing, and that they, like unjust People, had told his Uncle, Sir *Robert King*, who was so incens'd against the said Girl, that he was fully resolv'd to turn her away, and had given Orders that she should be forthwith turn'd out of the Family. This Deponent further deposeth, that the present Lord *Kingston* told her at the same time, That he knew that she, this Deponent, had great Interest with the said Sir *Robert King*, and begg'd her to use it, that the said Girl

L 2 might

might not be put out of her Service ; and to let Sir *Robert*, and all the World see her Innocence, he would receive the Sacrament the day following on it ; and further said, He would not for any thing in the World have the Girl turn'd off, and lose her Reputation by him, and begg'd her, this Deponent, to intercede for her with the said Sir *Robert King*, which she this Deponent did, but found Sir *Robert* so angry, and so resolv'd to turn away the said Girl, that she would not venture to say much to him about her. This Deponent further deposeth, That she often heard that the present Lord *Kingston* was too familiar

familiar with *Peggy Cahan*, but never heard nor thought that there was any Apprehension of his Lordship's Marrying her, while they were in *Ireland*. That this Deponent often heard likewise, that the late Lord *Kingston* offer'd to settle his Estate upon his Uncle, Sir *Robert King*, on Report of *Peggy Cahan's* being with the present Lord in *France*, or that she was Married to him ; but that Sir *Robert* often refus'd any such Settlement, tho' she, this Deponent, heard her Uncle and Aunt *Choppine* several times press him to accept of it.

Jurat coram me 11 die
Maii, 1699.

Jo. Wssher.

L 3 No.

N^o. III.*Dean Cope's Affidavit.*

DOCTOR *Anthony Cope*, Dean of *Elphin*, came this day before Me, and made Oath, That Sir *Robert King* never requested this Deponent to move the late Lord *Kingston* to make any Settlement of his Estate upon him the said Sir *Robert King*, and is morally assur'd he never did desire any one else to stir in it: But, on the contrary, this Deponent hath often heard, that the said Sir *Robert King* delayed perfecting, or suffering to perfect, such a Settlement by the late Lord

Lord *Kingston*, even to the Incensing the said Lord *Kingston*, and that he was so scrupulous, that he would not consent that such a Settlement should be made, until he had consulted the best Divines in *England*. And this Deponent further deposeth, that he heard, from a credible Person, That the said Sir *Robert* being ask'd by the late Lord, if he was yet resolv'd to consent to the making such a Settlement, answer'd, That tho' he was satisfied it was lawful for him to accept of the Estate, yet he had another scruple, whether it was lawful for the said Lord to give it; at which the late Lord *Kingston* flew into a Passion,

and said, he would settle it upon Sir Robert's Eldest Son if Sir Robert would prove so shy, and slow in his Result. And this Deponent further deposeth, That he never open'd his Mouth, nor did he ever mention the least Syllable to the late Lord *Kingston* relating to the *Disinheriting* his Brother, the present Lord *Kingston*, or making over the Estate on Sir Robert King or his Heirs. And this Deponent further deposeth, That the said Sir Robert King gave Directions, that the present Lady *Kingston* (being then one of the Servant-Maids in the late Lord *Kingston's* House) should be discharg'd, having heard that there was too much
Fami-

Familiarity between her, and the present Lord *Kingston*; whereupon the now Lord *Kingston* spoke to this Deponent, on the top of the Warren near the Town of *Abby-Boyle*, to *intercede with his Uncle, Sir Robert King, for her Continuance in her Service*, urging, that the only way to prove the Report of her being with Child to be false, was to let her stay, and that would disprove it; but if she were sent away, the People here would conclude it true. This Deponent further deposeth, That after this Discourse with the present Lord *Kingston*, he, this Deponent, walk'd after the said Sir *Robert King* towards *Ballindrebit*, and
 press'd

press'd him to grant what the said Lord *Kingston* desired, and after some pawling the said Sir *Robert* agreed to it, provided he, this Deponent, would go to Mrs. *Horsey*, (the House-keeper) and desire her earnestly to have a care, that, for the future, they were not too great, and if any thing happen'd amiss, it should lie at her door; all which this Deponent told the said Mrs. *Horsey*.

*Jurat coram me 28 die
Julii, An. Dom. 1698.*

John French.

No. IV.

N^o. IV.

*The Right Honourable John Lord
Baron of Kingston, Plaintiff,*

Sir Robert King, Defendant.

Charles Gosling, Esq; his Oath.

C*Charles Gosling, of the City
of Killkenny, Esq; came
this day before Me, and made
Oath, That for several Years
before the late Troubles, he
having been in the Service of
Robert late Lord Baron of
Kingston, the Plaintiff's Bro-
ther, at Abby-Boyle, in the
County of Roscommon; and he
this Deponent having observ'd,
before the Plaintiff went to
France, a more than ordinary
Fami-*

Familiarity between the Plaintiff (being then a younger Brother, and living in the House) and one *Margaret Caban*, then a Servant in the House, who usually made the Beds, he, this Deponent, acquainted Sir *Robert King*, the Defendant, then the Plaintiff's Guardian, therewith; (the said *Robert Lord Kingston* being then abroad in his Travels) and that Sir *Robert King*, the Defendant, thereupon order'd one Mrs. *Horsey*, the then House-keeper, and a Relation of the Family, to turn her out of the House, who accordingly did so, and she was for some time out of that Service, until by the Plaintiff's means she was brought

brought in again by the said House-keeper, without the Consent or Privy of the Defendant, as this Deponent verily believes; for that he heard the Defendant severely reprimand and check the said Mrs. Horsey, the House-keeper, for so doing, tho' this Deponent did not then think, neither doth he believe it entered into the Defendant's Thoughts, that his Nephew, the Plaintiff, would so much debase himself and his Family, as to contract Marriage with her. This Deponent further deposeth, That the Defendant, being then Guardian to the Plaintiff, and having a tender Care of him, to prevent any occasion of Leudness or Debauchery

bauchery between him and the said Margaret, did endeavour to get one William Teams, then an Under-Cook in the House, to Marry her, offering him, as a Portion with her, the Summ of Thirty Pounds sterl. or thereabouts, to the best of this Deponent's Remembrance, which he doth in his Conscience believe was merely out of the Kindness and the tender Affection he had to the Plaintiff. This Deponent further deposeth, That the Plaintiff soon after went for France, and took the said Margaret Caban with him, without the Consent, Privy or Knowledge, as this Deponent verily believes, either of his Brother, the said Robert, then

then Lord *Kingston*, or of his Uncle, the Defendant, until afterwards that Notice was sent over from *Paris* in *France*, by one Captain *Samuel Pach*, the Plaintiff's then Tutor, or Governour, giving an account that the said *Margaret Cahan* was in *Paris*, kept, and maintained by the Plaintiff; upon which, such Care was taken, that one Doctor *Quail*, a Divine, (who had formerly Travell'd into *France* with the said *Robert* late Lord *Kingston*) was sent over to *Paris*, either to bring the Plaintiff back, or remove the said *Margaret* from him; but the Plaintiff having Notice thereof, (as this Deponent was credibly inform'd) remov'd
with

with the said *Margaret* from *Paris*, and then Married her the said *Margaret*, as was credibly reported. This Depo-
 nent further deposeth, That when the News came of the Plaintiff's being Married to the said *Margaret*, the said *Robert*, late Lord *Kingston*, his Brother, was so much troubled at it, and so enraged against him, that he soon after resolv'd to levy a Fine, and suffer a Recovery of his Estate both in *Connaught* and *Munster*, and told his Uncle, the Defendant, of his Resolution, and that he would settle the same upon him, and his Children; and the Defendant thereupon advis'd him to the contrary, telling him, that tho' his
 Brother

Bröther had Married so far beneath himself, and his Family, yet she might make a good Wife, or words to that effect; upon which the said Robert, late Lord Kingston, solemnly Protested, and Swore, That in Case the Defendant, Sir Robert King, would not accept of the Settlement, he would settle the Estate on his Cousin, Captain Francis King, and his Children, which this Deponent often heard the said late Lord Kingston declare, and this Deponent does verily believe that he would so have done, in case the said Sir Robert had not accepted of the same. This Deponent further deposeth, That after the Plaintiff was Married, as aforesaid, he often

M heard

heard the Defendant very pressing
 with Robert late Lord Kingston,
 (the Plaintiff's Brother) to
 Marry, that he might have Issue to
 Inherit his Estate, and never gave
 over till he was actually Married;
 and doth verily believe in his
 Conscience, that the Defendant
 was extreemly Troubled and
 Dissatisfied, that the Plaintiff had
 Married so far beneath himself,
 and that it was done without the
 Defendant's Consent, Knowledge,
 Privity, or Approbation.

Char. Gosling.

Cognosco Deponentem,
 John Pape.

Capt. & Jurat cor. me apud
 Civitat. Killkennia 12 die
 Augusti, Anno. Dom. 1697.

John Pape, Com^r
 for Killkenny.

N^o. V.*Doctor Quail's Affidavit.*

1. **F***Rancis Quail*, Doctor in Divinity, came this day before Me, and made Oath, that in the Year of our Lord 1675, he became Tutor to the Right Honourable *Robert* late Lord *Kingston*, and continued as such until the Death of *John* Lord *Kingston*, Father of the said Lord *Robert*; and after the Death of the said *John* Lord *Kingston*, the Tuition of the Right Honourable *John*, present Lord *Kingston*, was for some time committed to this Depo-
M 2 net,

net, then Guardian and Uncle to the said late Lord *Robert* and present Lord *John*; and this Deponent, by means thereof, hath been very conversant in that Honourable Family, and observ'd in the said Sir *Robert King*, a great *Care and Affection* for the said late Lord *Robert*, and present Lord *John*. And this Deponent further deposeth, That he never observed, suspected or discover'd any thing in the said Sir *Robert King's* management, during the time he the said Sir *Robert* continued Guardian to the said late Lord *Robert*, or present Lord *John*, but what was *Just, Honest, and Honourable*; and this Deponent always Believ'd the said Sir *Robert*

bert to be sincere and real in promoting the said late Lord *Robert*, and present Lord *John*'s Interest and Advantage on all occasions, not only in their Persons, but in their Educations, Fortunes, and Estates.

2. This Deponent further Deposeth, That he never did enter into any Combination or Confederacy with *Charles Gosling*, Deceas'd, the Reverend *Anthony Cope*, Dean of *Elphin*, *Anthony Raymond*, Capt. *Thomas Caulfield*, or any of them, or any other Person or Persons whatsoever, with intent or design to defeat or deprive the said late Lord *Robert*, or present Lord *John*, of their or either of their Estates or Fortunes, or any part there-

M 3 of;

of; and this Deponent doth not believe there was any *Combination* or *Confederacy* between the aforesaid Persons, or any of them, to any such intent, or with any such design.

3. This *Deponent* further deposeth, That the said Sir *Robert King* did himself, from time to time, instruct the said late Lord *Robert* in the knowledge of the *Mathematicks*, and was very solicitous and careful in the said late Lord *Robert's* other Education and Learning.

4. This Deponent further deposeth, That the said Sir *Robert King*, being solicited by some Friends to permit the present Lord *John* to accompany the said late Lord *Robert* in his
Travels,

Travels, the said Sir Robert refus'd to consent thereto, saying, *It was not fit to expose both the said late Lord Robert, and present Lord John together, to the hazards of the Seas, and foreign Countries.*

5. This Deponent further deposeth, That, to the best of his remembrance, the said Sir Robert King never did desire him, this Deponent, to move the said late Lord Robert to a Settlement of his Estate, in Exclusion of the present Lord John; but, on the contrary, this Deponent saith, That he the said Sir Robert, shewed a great unwillingness to such a Settlement when Proposed to him; and the said Sir Robert King sent this Deponent to the

said late Lord Robert, to signifie his the said Sir Robert's dislike of it, and to dissuade him the said Lord Robert from making thereof; which Messlage this Deponent deliver'd to the said late Lord Robert, to the best of this Deponents remembrance, in a little Parlor at Boyle, at which the said Lord Robert seem'd to be moved, and said, *He would proceed in it, or words to that effect; and that Peggy Cahan's Issue should never enjoy his Estate.*

6. This Deponent further deposeth, That he always observ'd a *Backwardness* in the said Sir Robert King, touching such a Settlement in Exclusion of the present Lord John and this deponent doth verily Believe the

the said Sir Robert never did, either by himself, or any other Person or Persons whatsoever, perswade or solicit the said late Lord Robert, to make such a Settlement; but, on the contrary, this Deponent believeth such Settlement *was made by his the said Lord Robert's own meer Motion.*

7. This Deponent further deposeth, That an Account came from Mr. Pach, then at Paris, that the present Lady Kingston, (formerly a Servant in the Family) and her Cousin or Companion, were both with the present Lord Kingston, then in Paris, and that he the said Mr. Pach fear'd the consequence; upon which this Deponent was
imme-

immediately sent by the late Lord Robert and Sir Robert King to the present Lord Kingston, to signifie their *Resentments*, and to dissuade his Lordship from the thoughts of the present Lady Kingston; and accordingly this Deponent went with Letters and Proposals (to the best of his Remembrance) of a *Considerable Advantage* for the said present Lord Kingston, and with great Promises, if he the said present Lord Kingston obeyed, and Threatnings of being *Disinherited*, if his Lordship would not be advised; all which this Deponent deliver'd to the said present Lord Kingston, whose Answer was to this effect, viz. That he the said present Lord Kingston had

had heard of this Deponent's coming, and his Business, and that his Lordship was very sorry he had incurr'd his Brother's and Uncle's displeasure, and to avoid it, his Lordship had sent the Women (meaning the present Lady *Kingston* and her said Cousin) away, and did assure this deponent, with great and solemn Asseverations, that his Lordship would not concern himself with them any more; notwithstanding which, the said Mr. *Pach* and this Deponent, sometime afterwards, discover'd that the present Lady *Kingston* and her said Cousin, continued in *Paris*, and the said present Lord *Kingston* privately resorted to them; upon which,
this

this Deponent and the said Mr. *Pach* discover'd their Lodgings, and dispers'd them; and this Deponent thereupon, at his next Meeting with the said present Lord *Kingston*, taxed his Lordship with the unsincerity of his Professions concerning the present Lady *Kingston*, on which his Lordship seem'd to be much provok'd, and declar'd, *That his Passion was so great that he could not allay it;* and drew a great part of his Sword out of the Scabbard, but this Deponent then telling his Lordship it was dangerous to draw a Sword there, being the Garden of the *Palace Royal*, his Lordship put it up again. This Deponent further deposeth,

seth, That meeting with the said Sir Robert King in Dublin, at his Return from Paris, this Deponent gave the said Sir Robert an account of the afore-said Transactions, upon which the said Sir Robert seem'd to be, and this Deponent verily believes *he was, much discomposed and dissatisfied.*

8. This Deponent further deposeth, That the said Sir Robert King understanding that the said late Lord Robert, while at Boyle, was likely to fall into company and familiarity of Persons not suitable to his Lordship's Quality, he the said Sir Robert, us'd his utmost endeavours, as this Deponent verily believes, to divert his
Lord-

Lordship from such company; and the said Sir *Robert* discountenanc'd them so far, that they seldom appear'd when the said Sir *Robert* came to Visit or Dine with the said Lord *Robert*.

9. This Deponent further deposeth, That the said Sir *Robert King* was very *Solicitous, Industrious, and Active* to have the said late Lord *Robert* well Married; and to that purpose, he the said Sir *Robert*, proposed several considerable Matches to his Lordship, viz. The Lady *Elizabeth Chesterfield*, and Lady *Elizabeth Cromwell*; and in prosecution of a Match with the said Lady *Elizabeth Cromwell*, a considerable Progress was made, and was so near a conclusion,

clusion, that this Deponent was inform'd, and believes *the Wedding Ring was bought.*

10. This Deponent further deposeth, That the said Sir Robert King, as this Deponent does verily believe, did, as much as in him lay, endeavour to prevent the dishonourable Amour, and unfortunate Marriage of the present Lord with the present Lady Kingston; and this Deponent hath been credibly inform'd, and believeth the said Sir Robert King proposed a considerable Portion to the present Lady Kingston, (then a Servant) in order to have her Married to another Servant then in the Family, on purpose, and with design, to prevent the present
Lord

(192)

*Lord Kingston's being inveigled,
and to secure his Lordship from
danger.*

Fr. Quail.

*Jurat coram me 16 die
Februarii, 1698.*

John Usher.

N^o. VI.

*The Case of Mr. John King,
only Brother of the present
Lord Kingston of Ireland.*

*Humbly offer'd to His Majesty's
most Gracious Consideration.*

T*HE said Mr. King, when
very Young, fell in Love
with a Gentlewoman, much about
his*

his own Age, and, after many Hardships and Difficulties suffered on that account, Married her at his Age of Eighteen.

And tho' her Virtue and unstain'd Reputation exempted her from all Calumnies, yet her being a Native Irish Woman, and her wanting a Fortune, was suggested by Sir Robert King, his Uncle, a just Cause of deserving his said Brother's Anger and Displeasure.

Upon this Foundation the said Uncle built his whole Designs, and magnifying every little Circumstance into a Crime, and pretending that the Honour of the Family should be irreparably lost, in Case any of the said Mr. King's Issue, by his said Wife, should be suffer'd to Inherit.

N

He

He at last prevail'd with the said Lord Kingston to settle his Estate, upon his Dying without Issue, upon him and his Heirs, in such manner, that the said Mr. King, and his Heirs, should be wholly Excluded from the Possibility of ever Enjoying the said Estate, tho' in truth, most of it descended from the said Lord Kingston, and Mr. King's Mother, as Heir at Law to the Family of Fitzgeralds, formerly called the White-Knight: But the Lord Kingston, as Mr. King is inform'd, reserv'd to himself a Power of Altering the said Settlement at any time within a Year.

Now forasmuch as the Honour and Title must descend to Mr. King, or his Heirs, upon his Brother's

ther's Dying without Issue, and that if no Estate be left to support the same, it may become chargeable to the Crown, whose Glory as well as Interest it is, to rescue the Nobility from Beggery and Contempt, the said Mr. King doth throw himself at His Majesty's Feet for His Royal Protection, most Humbly beseeching Him, that He would be graciously pleased to send for the said Lord Kingston, who is now in Town, and to intimate His Royal Pleasure to him, of having the Estate so settled, as the said Mr. King, and his Heirs, may not be excluded from Enjoying the same upon the said Lord Kingston's Dying without Issue; whereunto (as Mr. King verily believes) the said Lord Kingston will readily agree,

being in his own Nature so kind, just, and generous, that he will be glad to have a fair Opportunity of avoiding what the Importunity of the said Uncle in some measure forc'd from him.

N^o. VII.

Mr. John King's Case, humbly Offered to the Consideration of the High Court of Parliament.

This Case having been some time ago Printed at large, it will be sufficient at this time to Re-Print the following Extract out of it.

AND since Love either finds or makes all People equal, the Consideration of the Disparity of her (*the present*

sent Lady Kingston's) Fortune could give no check to his Affection; and therefore growing up with his Years, *after many Hardships and Difficulties suffered by them both on that account*, it produc'd a Marriage about his Age of Eighteen.

N^o. VIII.

The Substance of Mr. Raymond's Letter to Sir Robert King, as it is set down in the Materials for a Bill of Discovery against Sir Robert King, &c.

THE next thing I have to acquaint you with is, That my Lord did, a Day or

two before he went out of Town, perfect a Deed of Settlement, which Captain *Choppine* prepar'd, of which I had no certain Notice until his Lordship was gone, &c. upon which I waited upon Captain *Choppine*, who shew'd me the Deed, which to me is one of the strangest I ever saw, and admire at it, considering I often heard you say, *That it was very reasonable my Lord should have power, and a power only in himself, to alter the Uses as he saw cause ;* for which reason there ought to be such a Clause inserted, which is not, nor Provision for younger Children. I discours'd Captain *Choppine*, who is for positing on a Fine and Recovery,

very, for Confirmation of it, with all speed, and told him, that since his Lordship was just on Marrying, or Expectation of it, it had been better let alone at present Levying the Fine, which must render it publick, and contract great Charge and talk, &c. I have written back hence to Captain *Choppine*, and begged him to suspend the Fine until he heard from you; he considers but one thing, and my Zeal for the same is as great as his, but would have it done with other Considerations, which, I am sure, are such as will be satisfactory to you, &c. for I believe he has not taken your Measures right, &c.

N 4

No.

N^o. IX.

The present Lord Kingston's
Letter to Mr. Gosling.

S I R,

I Thought that all my Civilities
would have obliged you, when
my Cousin told you I was Married
to such a one, you would have per-
suaded her that I had a little more
Wit than so; but she is apt to be-
lieve all Ill of me; let me damn
my self to the Pit of Hell, I
must never be believed, but
Bridget and Will's Words must
go before my Oaths. Have
I strove to serve her with all I
have in this World, nay, I would
not have spar'd my Heart's Blood

to have done her good, and is this my Reward? Would that be the Effects of one who was counted Wise, to play the Fool to go Marry a Scullian, tho' he lov'd her ever so well? I may as well say she will Marry crook'd Will, as what she thinks of me. Except she and you send me some Recompence for the Injury you have done me, by your unworthy and dirty Thoughts, I'll never forgive you, and do not let it come about by Mr. Pach any more. Of Two so Wise as my Cousin and you, I never saw Sir Martin act a more silly part; read her Letter, wherein I frighten her, but it is for nothing else, for I love her still, as well as ever, and that she shall see at last. Read her
Letters

*Letters pray, and promise you love
G O D and Me. Shew this to no
body but Cousin Sue, and let her
burn hers.*

PARIS,
May 23.

N^o. X.

*Doctor Horneck's Letter to
Sir Robert King.*

S I R,

I *Had yours, and am heartily
glad my old Friend and Ac-
quaintance is Alive and well. I
have been indispos'd with the Di-
stemper of the Stone and Bloody-
Water these Six Weeks; Blessed
be G O D, there appear some signs
of Recovery. Concerning your
Nephew,*

Nephew, the Lord Kingston, I have almost forgot Particulars of so long standing, or done so many Years ago, yet I do remember, he own'd he gave his Consent to the passing of the Estate to you, only, as is usual in such Cases, pleaded Youth and Fear, or some such Argument. There is a Young-Man, &c.

I am, Sir,

Your Affectionate Friend,

And Humble Servant,

Sept. 22.

A. Horneck,

For the Right Honourable
Sir Robert King, Kt. one
of His Majesty's most
Honble. Privy-Council
in the Kingdom of Ire-
land, at Dublin.

No.

N^o. XI.

*The late Lord Kingston's Paper,
Written with his own Hand,
containing Directions for draw-
ing up his Lordship's Answer to
Mr. King's Case.*

THAT Mr. King fell in Love,
I believe to be true; but
that his Wife is a Gentlewoman,
is as false as any false Supposition
can be: *Her first Rise was to be
my Poultry-Woman's Servant, and
her greatest to be my Dairy-Maid,
till she became his Spouse: That
it was upon this occasion I Settled
my Estate from Him and Hers,
into a Family of good Extraction,
and not (as he most unjustly says)*
by

by the advice and desire of Sir Robert King my Uncle, who was the only Man (of all those that knew my Designs) that Oppos'd so just a Settlement, &c.

N^o. XII.

The present Lord Kingston's
Letter to Sir Robert King.

Dear Uncle,

I*T is not for want either of Duty or Respect, that I have not waited upon you since my coming for England, but because I know the Sight of so unpleasing an Object cannot be grateful to so near a Relation as you are ; Therefore I thought it better to live both pri-
vate*

vate and retir'd from the sight of all my Relations and Friends, than to give them a Subject to Discourse of, which the Sight of me cannot continually choose but .do: I hope you will not take it ill, seeing I have given you a true account of the Reason: By this I shall soon be forgotten by you all, and shall enjoy quiet of Mind, by delivering myself from the bitter Reproaches due to me from so good Relations; and tho' perhaps you may never see me, yet as far as my power shall ever reach, you shall ever find me

Your Dutiful and

Obedient Nephew

Jo. King.

To the Honourable
Sir Robert King.

No.

N^o. XIII.

*The Deposition of William
Conolly Esq;*

W*illiam Conolly, of the City
of Dublin, Esq;* Deposeth,
That having some earnest oc-
casions with *Robert Lord Baron
of Kingston* Deceas'd, he re-
paired to *Boyle* about the fourth
of *October* 1693, and stayed
with the said Lord for several
days, in which *time*, and at *se-*
veral times before, he heard the
said Lord *Kingston* express him-
self with great dissatisfaction
and dislike of the present Lord
Kingston, and the dishonour he
had placed upon the Family;
and

and often said, *That he should never Enjoy any part of his Estate,* and hoped his Uncle, Sir *Robert King*, would be just to him in his Intentions in that Matter, tho' he expected much more from his Son, meaning *John King Esq;* to whom the said *Ld Robert* said his Estate would come. This Deponent further deposeth, That the said *Robert Lord Kingston* said, and expressed himself with concern, fearing that the said Sir *Robert King* might be too easie prevail'd upon by the now *Lord Kingston*, or words to that purpose.

The Cause of this Deponent's Discourse and Knowledge is, that he was intimate
with

with the said *Robert Lord Kingston*, and was concern'd for him as his Agent and Solicitor.

Will. Conolly,

Jurat coram me 23
Decemb. 1698.

J. Coghill.

N^o. XIV.

The Deposition of Nola Murphey, taken before the Reverend Dean Anthony Copc, One of His Majesty's Justices of the Peace for the County of Roscommon.

TH E Examinee being duly Sworn on the Holy Evangelists, deposeth, That being a Servant with Sir *Robert*
O *King,*

King, his Lady, and her Mother, for above Forty Years, was intrusted by him, as his House-keeper, with several Goods and Papers, on his going for *England*, before the late Troubles; most of which she, the Deponent, dispers'd amongst such of the *Irish* as she thought would keep them safe, and give them back again; and tho' in the Troubles some *Irish* Officers and Soldiers came to her Master's House, where she was left, and threatned to send her to Goal if she did not tell where she had the said Goods; yet she would not tell them, let them say what they would. But this present Lord *Kingston* coming to the House,

with

with several in his Company, he, soon after his being in it, took the Deponent from this Company, and went with her into the Room call'd the *Nursery*, where he enquir'd very privately when she heard from his Uncle and Aunt, and the Children, and spake so very tenderly of them, using often the word, *his dear Uncle and Aunt, and dear Cousins*, that she could have trusted him with all the Things and Papers she had in the World of her Master's, and did believe his Lordship spake from his Heart, because of his being long and often in her Master's House, and she observ'd what great Kindness and tender Care her Master and

Lady had of his Lordship, as if he were their own Child; and after all his kind Words, his Lordship said, *Nola, what you have of my Uncle's, let me know; for if he had a Thousand Pounds worth, I would not take a Penny worth of them for my self, but keep it for him, fearing others should take it from him; but be sure you shew me every thing of his that you have; let the World go as it will, I hope they will not lose their own.* And when he was leaving this Deponent, his Lordship said, *Nola, If what I have said to you were heard, or known, this would be cut off,* (drawing his Fingers cross his Neck;) by which, the Deponent thinks, he meant that
his

his Head would be cut off: By these, and other fair words, she, the Deponent, went next day to *Boyle*, and shew'd him some Things, and all the Papers which were her Master's; and when his Lordship came to the Box of Papers, he began to read them, the Deponent upon this was very much troubled, and to get them out of his Lordship's Hands, told it was late, and she must go home; he bad her go home, for that he would take as much Care of the Papers as she could, and would put them up when he had done with them. She went home to *Rockingham*, and next day went to *Boyle*, to look after the Papers, and found

O ; some

some in the Box, and some on the Floor ; but she mist some of the Papers, and a Leathern Bag, in which she believes his Lordship put the Papers he took away ; for she saw there was not near so many as she shew'd his Lordship the day before.

Nola 8 Murpbey,
her Mark.

Jurat coram me Octob.

19. 1697.

Ant. Cope.

No.

N^o. XV.*Mr. Raymond's Second
Deposition.*

ANthony Raymond of Gar-
 rane, in the County of
 Cork, Esq; came before Me
 this day, and made Oath, That
 a little before the Right Ho-
 nourable Robert Lord Kingston
 was Married, the said Lord
 Kingston imployed this Depo-
 nent. to get a Deed of Settle-
 ment drawn, in order to his
 Marriage, which Sir Robert
 King, Baronet, understanding,
 he, the said Sir Robert, desir'd
 this Deponent to acquaint his
 Lordship, that by the former

O 4 Deed

Deed of Settlement that he had made, the Estate was, for want of Issue of his own Body, to go to Sir *Robert King*, and his Sons; in which Deed there was a Power, or Proviso, that if the said Lord *Kingston* should Marry, it should be in his Power, some Months before and after his Marriage, to revoke the said Deed, and to make such new Settlement, and limit Remainders or Uses, as he should think fit, by which it was then in his Power to settle the Reversion of his Estate, for want of his own Issue, on his Brother, and therefore desir'd his Lordship would seriously consider, whether he was not bound in Conscience
to

to settle it on his Brother, and that he should consult some of the Eminent Divines in the City, meaning *London*, whether he was not oblig'd in Conscience to settle it on his Brother, whilst it was in his Power; for that if a new Deed and Settlement were made on his Marriage, with the like Uses and Limitations as the other was, it would not be in his Power afterwards to alter it, or to that or the like effect; which Message this Deponent did faithfully deliver unto the said Lord *Kingston*, who bad this Deponent to tell his Uncle, meaning Sir *Robert King*, that he desir'd him not to give him any more Trouble about it,

for

for that he was resolv'd to continue the Settlement as it was, and that if his Uncle would not accept of it, he would settle it on his Sons, or to that or the like purpose: Which Answer this Deponent did deliver unto the said Sir Robert King, whereupon (as this Deponent believeth) the said Sir Robert King did acquiesce.

Ant. Raymond.

Jurat apud *Limerick*
 * 2do die *Augusti*,
 1697. coram me.

Robert Smith,

Un. Magistr. extraor-
 din. in Cancell. *Hib-
 ernie.*

No.

Nº. XVI.

*The Deposition of William
Teams.*

W*illiam Teams* came voluntary before us, and deposed on the Holy Evangelists,
Imprimis, That he being Servant to the late Lord *Kingston*, was very well acquainted with *Margaret Cahan*, when she lived with *Katherine Nolan*, Hen-Woman to the said Lord *Kingston*, and afterwards when the said *Margaret* was Servant to Mrs. *Susanna Horsey* : And this Deponent saith, That it was commonly reported, that the now Lord *Kingston* and the

the said *Margaret* were too familiar and great, and that when Sir *Robert King* heard thereof, he prevail'd with his Nephew, the late Lord *Kingston*, to promise this Deponent *Fifty Pounds*, to Marry the said *Margaret Caban*, purposely that she might be removed from the now Lord *Kingston*; but this taking no effect, the said Sir *Robert King* gave orders to discharge her from Serving in the Family any longer; which accordingly was done.

2. The Deponent further saith, That tho' he lived all the time in the same Family with the said *Margaret Caban*, yet he never heard that the
now

now Lord *Kingston* design'd to make her his Wife, until he heard that she follow'd him into *France*.

3. The Deponent further saith, That the now Lord *Kingston* was much troubled and concern'd when the said *Margaret Cahan* was discharg'd out of the Family.

Will. + Teams.

The above Depositions were voluntarily Sworn, and Signed before us, this Seventh of Decemb. 1698.

Ant. Cope.

No.

N^o. XVII.*The Deposition of John Dingwell:*

John Dingwell came voluntarily before Us, and Deposed on the Holy Evangelists,

Imprimis, That the late Lord Kingston's Excess in Company-keeping was a great grief and trouble to Sir Robert his Uncle: And this Deponent saith, That when those Persons who usually frequented with the said Lord Kingston, heard of Sir Robert's coming to Visit or Dine with his Nephew, the said Lord Kingston, they constantly shun'd the said Sir Robert King, and would not be seen by him.

2. The

2. The Deponent further saith, That as soon as Sir Robert King heard that his Nephew, the now Lord Kingston, and Margaret Caban, were too Great and Familiar, he caus'd the said Margaret to be turn'd out of her Service, and said, that if ever afterwards he heard of her being in Boyle, that he would cause her to be severely Punish'd.

John Dingwell.

The above *Depositions*
were voluntarily
Sworn and Sign'd
before Us, this 7th
of Decemb. 1698.

Andrew Blackburn. }
Anthony Cope. }
Gilbert King. }

No.

No. XVIII.

*The Deposition of Mrs. Mary
Choppine.*

He said *Mary Choppine*, came this day before Me, and made Oath, That her only Daughter being Married to *Sir Robert King*, she this Deponent was often with them at *Boyle and Rockingham*, and took notice of the great Care and Kindness *Sir Robert* had for both his Nephews, but more particularly for the present *Lord Kingston*, for whom *Sir Robert* seem'd to have a more tender Affection, which this Deponent believes he had, till his Brother, the late Lord, was
gone

gone to Travel; and that her Son, Sir *Robert*, had heard of the present Lord's being too kind and familiar with a Girl, called *Peggy Cahan*, an under Servant in his Brother's House. This Deponent further Deposeth, That on Sir *Robert*'s hearing of it, he (as this Deponent was credibly inform'd) sent to Mrs. *Horsey*, the House-keeper, who was a Kinswoman of the present Lord's, by the Mothers side, to have the said Girl turn'd out of her Service; but the present Lord procur'd her stay, as this Deponent verily believes, and has heard from those his Lordship employed about it. This Deponent further deposeth, That she did not at that

P

time

time hear, nor did she in the least think, or believe, that the present Lord had any design of making *Margaret Caban*, or any such Person, his Wife. And this Deponent further deposeth, That when the late Lord *Kingston* heard that the said *Margaret Caban* was with his Brother in *France*, he was so much offended, that he resolved to disinherit him, and settle the Estate on his Uncle, Sir *Robert King*: But this Deponent found Sir *Robert* against it, and knows, that he often refus'd to accept of the Settlement his Lordship intended to make on him; at which this Deponent was displeased, and spoke to Sir *Robert* about it, and often heard her
Husband

Husband say, that Sir Robert was Mad to refuse an Estate so offer'd: And the late Lord said, if his Uncle would not accept of his Estate, he would give it to another; nay, to any one, rather than his Brother, as this Deponent has been often told. And this Deponent further deposeth, That she believes Sir Robert King did not accept of the Settlement of the late Lord's Estate until he had the Opinions of some of the best Divines in *England*, that it was lawful for him to accept thereof.

*Jurat coram me 11 die
Maii, Anno Dom.
1699.*

John Usher,

P 2

No.

N^o. XIX.

*The Affidavit of Thomas
Yeeden, Clerk.*

I Thomas Yeeden, do know that *Charles Holcroft, Esq;* had a considerable Estate in the County of *Galloway*, near, and in *Tuam*: That he sold the same several Years before the War of Eighty Eight; some part to my self, of which he Levied a Fine, and common Recovery; some unto *Thomas Dean of Galloway, Merchant*; some unto *Nicholas Bermingham* near *Barnedarrick*; some unto *James Johnston, Clerk*; some unto *Edmund Kelly*

Kelly of *Fiddane*, in the same County : That some of these said Persons understanding that the said *Charles Holcroft* made a prior Deed of his Estate unto the Right Honourable *John Lord Kingston's* second Son, the now Right Honourable *John Lord Kingston*, did commence a Suit in His Majesty's High Court of Chancery in *Ireland*, against Sir *Robert King*, Baronet, praying the Deed to be brought into Court, which, as I was told, was produc'd, and what the Issue of those Proceedings were, refer to the Rules then set down. I have heard that the Deed was faulty. The Management of that Suit against

Sir Robert was left to Mr. *Edmund Renell*. I heard that *Charles Holcroft*, afore said, had some Lands in *Leicester*, which he dispos'd of to *Robert Choppine*, Esq; Deceased, which, I have heard, was set for *Eighty Pounds* sterl. a Year, and no more. All which I hereby Certifie and Depose. Witness my Hand this *Fifth* of *October*, 1698.

Thomas Yeeden.

Sworn before me the
Day and Year a-
foresaid.

Anth. Cope.

No.

*An Extract out of Robert late
Lord Kingston's Letter to Sir
Robert King, dated June the
29th, 1688.*

Dearest Uncle,

I Know my Brother's Aim
is Possession, believing I
may miscarry through the
great Love our Country-Men
have for me ; but if I could
more firmly settle what I have,
I would, and rivet it, rather
than it should be ever alter'd.

I am still,

Dearest UNCLE,

Your most Obedient and
Most Humble Servant.

P 4 No.

N^o. XXI.

*An Account stated under the Hand
and Seal of Mr. John King,
(the present Lord Kingston.)*

WHereas upon Ballance of
Accounts with my Brother
the Right Honourable
Robert Lord Baron of Kingston,
as my Guardian, it appears,
that I owe unto my said
Brother the Summ of *One
Hundred Ninety Five Pounds
Eighteen Shillings and Six Pence
Three Farthings.*

And whereas upon Ballance
of Accounts with my Uncle,
Sir Robert King, Baronet, it
appears, that my said Uncle
owes

owes me the Summ of *One Hundred Thirty Four Pounds Two Shillings and a Half Penny* ;
 I do, for the Satisfying unto my said Brother the aforesaid Sum of 195 l. 18 s. 6 d. $\frac{1}{2}$. hereby Assign, and make over unto my said Brother, his Executors, Administrators, and Assigns, the said Summ of 134 l. 2 s. 0 d. $\frac{1}{2}$. due unto me from my said Uncle, and to give Discharge or Discharges unto him my said Uncle for the same, which shall be as effectual to all Intents and Purposes as if the same was, or were actually given by my self. And I do promise, covenant, and undertake to pay unto my said Brother, his Executors,

ecutors, Administrators, or
 Assigns, upon, or before, the
First Day of May next, the
 Summ of *Sixty One Pounds*
Sixteen Shillings and *Six Pence*
Farthing, to compleat the said
 Sum of 195 l. 18 s. 6d. $\frac{3}{4}$. so due
 to my said Brother. In Wit-
 ness whereof I have hereunto
 set my Hand and Seal this
Sixth Day of February, 1683.

John King. ☉

Being present

Ant. Raymond.

Fr. Quail.

Hen. Faell.

F I N I S.

D
P 4196

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